United Nations S/2005/266

Security Council

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22 April 2005

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Letter dated 21 April 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

On 13 January 2005, the Committee established pursuant to paragraph 6 of Security Council resolution 1373 (2001) (the Counter-Terrorism Committee) submitted a work programme for the fourteenth 90-day period (S/2005/22). Annexed hereto is the Committee's work programme for the fifteenth period, which covers the months from April to June 2005 (see annex).

The activities of the Counter-Terrorism Committee will proceed in compliance with the provisions of Security Council resolution 1535 (2004) and 1566 (2004).

The Committee will continue to work with Member States on the implementation of Security Council resolution 1373 (2001), guided by the principles of cooperation, transparency and equal treatment. The Committee will remain focused on strengthening consensus within the international community on the importance of combating terrorism, taking practical measures designed to enhance the counter-terrorism capacity of States; helping to identify and address the problems faced by States in implementing Council resolution 1373 (2001); and contributing to the process of increasing the number of States that are parties to the relevant international conventions and protocols. All of these tasks will be fulfilled in accordance with the Committee's mandate, as set out in paragraph 6 of the resolution, to monitor its implementation.

During the period covered by the fifteenth work programme, the Committee will continue its efforts to complete the revitalization process, in particular to ensure that the Counter-Terrorism Committee Executive Directorate becomes fully operational. As mandated in resolution 1566 (2004), the Committee will continue to develop a set of best practices to assist States in implementing the provisions of Security Council resolution 1373 (2001) related to the financing of terrorism. Moreover, the Committee will consider, where appropriate, the initiation of best practices in other areas with relevance to resolution 1373 (2001). The Committee will continue to further its facilitation of technical assistance as well as strengthening cooperation with international, regional and subregional organizations. In accordance with Security Council resolution 1566 (2004), the Counter-Terrorism Committee will enhance cooperation with the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban,

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the Committee established pursuant to resolution 1540 (2004) and the working group established pursuant to resolution 1566 (2004).

The Counter-Terrorism Committee welcomes the support it has received from Member States, the United Nations Secretariat and international, regional and subregional organizations and appreciates the contribution by the Counter-Terrorism Committee Executive Directorate.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Løj**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

Annex

Work programme of the Counter-Terrorism Committee (1 April-30 June 2005)

1. The present document sets out the work programme of the Counter-Terrorism Committee for its fifteenth 90-day period, from 1 April to 30 June 2005. This work programme updates that submitted for the fourteenth 90-day period (S/2005/22, annex).

Summary

2. The Counter-Terrorism Committee will:

(a) Continue close cooperation with the Executive Director of the Counter-Terrorism Committee Executive Directorate in order to make the Directorate fully operational in the shortest possible time;

(b) Complete the review of at least 10 further reports and 50 needs assessments;

(c) Continue to develop a set of best practices to assist States in implementing the provisions of Security Council resolution 1373 (2001) related to the financing of terrorism and consider, where appropriate, the development of best practices in other areas with relevance to resolution 1373 (2001);

(d) Continue to urge States which have missed the deadlines for submission of their respective reports to the Committee to submit these at the earliest opportunity;

(e) Continue to improve cooperation with international, regional and subregional organizations; and encourage them to seek to develop further ways to help members to implement resolution 1373 (2001);

(f) Continue visits to Member States, by conducting three more visits during the term of this work programme, in compliance with Security Council resolution 1535 (2004), in accordance with the procedures agreed by the Committee and with their consent;

(g) Review and consider further initiatives to strengthen the Committee's role as facilitator of technical assistance to Member States, including in the field of assessing needs, as well as in the Committee's dialogue with potential donors;

(h) Continue to ensure transparency in the work of the Counter-Terrorism Committee.

I. Work of the Committee

3. The Committee had, by 31 March 2005, received 584 reports from States and others. They include first reports from 191 Member States and 6 from others, 164 second reports from Member States and 2 from others, 124 third reports and 1 from others, 88 fourth reports from Member States and 8 fifth reports.

4. In accordance with Security Council resolutions 1535 (2004) and 1566 (2004), the Counter-Terrorism Committee will continue its efforts to ensure that the

Counter-Terrorism Committee Executive Directorate becomes fully operational as soon as possible. It calls on all relevant entities of the United Nations to support this effort.

5. The Counter-Terrorism Committee and its subcommittees will continue to review the reports submitted by States pursuant to paragraph 6 of Security Council resolution 1373 (2001). During the term of this work programme, the Committee will review at least 10 additional reports.

6. The Committee, through its subcommittees and its Executive Directorate, will continue to offer guidance to States about how to implement the provisions of resolution 1373 (2001).

7. The Committee has noted with great concern that 75 States have missed the deadlines for submission of their respective reports. The Committee stresses the importance for States to remain in contact with the Committee about the implementation of resolution 1373 (2001). In this regard the Committee reminds Member States that reporting according to the timetable proposed by the Committee is one of the provisions of resolution 1373 (2001), and urges all States that have not submitted their reports on time to submit them as soon as possible. The Committee will continue to work with States to address this issue, taking into account the specific situation of States and considering ways the Committee can best ensure that reporting takes place in a timely manner. The Chairman of the Committee will continue to provide the Council with the list of States late in submission of their reports.

8. The Committee will continue to develop a direct dialogue with States about their implementation of resolution 1373 (2001). Among others, the Committee will continue its visits to Member States, in accordance with the general guidelines for conducting such visits, the procedures for the preparation, conduct and evaluation of the results of those visits as well as the Framework Document for Committee visits to States in order to enhance the monitoring of the implementation of resolution 1373 (2001) and with their consent. The Committee will focus on ensuring that there is proper follow-up to these visits and that such visits are fully coordinated with relevant United Nations bodies and international, regional and subregional organizations.

9. While monitoring the implementation of Security Council resolution 1373 (2001), the Committee will bear in mind all the international best practices, codes and standards that are relevant to the implementation of resolution 1373 (2001). Pursuant to Security Council resolution 1566 (2004), the Committee will continue to develop a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism, in consultation with the relevant international, regional and subregional organizations.

10. The Counter-Terrorism Committee welcomes all the work done in other relevant international, regional and subregional organizations to develop standards, codes and best practices in areas of relevance to resolution 1373 (2001). The Committee will consider in which other areas the Committee could usefully develop sets of best practices to assist States in implementing the provisions of resolution 1373 (2001).

11. The Committee will continue to enhance the cooperation with the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban,

the Committee established pursuant to resolution 1540 (2004) and the working group established pursuant to resolution 1566 (2004), including where appropriate with the respective groups of experts. The Committee will seek to ensure that there is full exchange of relevant information between and among the committees and groups of experts, including regarding country visits and other official travel.

II. Facilitation of technical assistance

12. It remains a key objective for the Counter-Terrorism Committee to facilitate the provision of technical assistance aimed at strengthening the counter-terrorism capacity of States that strive to fulfil their obligations to implement the provisions of resolution 1373 (2001), but lack the capacity to do so. The Committee stresses that responsibility for the implementation of those obligations, including the preparation of reports to the Committee, rests with States. At the same time, the Committee recognizes the importance of facilitating the necessary technical assistance to States. The Committee will continue to discuss how it can best facilitate such assistance.

13. To ensure that the necessary assistance can be provided, the Committee will continue to work with States in order to identify their individual needs. To that effect, the Committee will continue to prepare assessments of countries' assistance needs. Upon agreement with the States, the Committee will facilitate contacts to potential donors and assistance providers. The Committee will finalize its consideration of 50 needs assessments during the term of this work programme.

14. Identification of possible needs for technical assistance remains one of the key objectives for Committee visits to Member States. The Committee will continue to enhance dialogue about assistance needs with States in order to ensure that assistance is better tailored to their real needs.

15. The G-8 Counter-Terrorism Action Group provides significant counter-terrorism assistance, which constitutes support for the Committee's work. The Committee will seek further reinforcement of this cooperation. Moreover, the Committee will consider whether it would be helpful to develop a closer relationship with the broader donor community to seek to ensure that the necessary assistance is available in all areas of resolution 1373 (2001).

16. The Committee has developed the Directory of Counter-Terrorism Information and Sources of Assistance, which can be consulted on its website, http://www.un.org/Docs/sc/committees/1373/ctc_da/index.html. The Directory is designed to be a source of information on counter-terrorism-related best practices, model laws and available assistance programmes. The Committee has also produced an Assistance Matrix to collect updated information on requests received from States and on assistance offered by potential providers, including international, regional and subregional organizations. The Committee will maintain and update both information resources.

III. Cooperation between the Counter-Terrorism Committee and international, regional and subregional organizations

17. Pursuant to the action plan agreed at the special meeting of the Committee held on 6 March 2003, the Committee has been expanding its contacts and cooperation with international, regional and subregional organizations. The Committee will continue to do so, including through implementation of the declaration and the Follow-up Action Plan adopted at the fourth special meeting held in Almaty from 26 to 28 January 2005.

18. The Committee will continue to strengthen its interaction with international, regional and subregional organizations in order to facilitate timely implementation of resolution 1373 (2001) by their members, including by ensuring an equitable geographical balance in its contacts with those organizations.

19. The Committee stresses that the international, regional and subregional organizations have a specific role to play in providing guidance for their member States on the implementation of resolution 1373 (2001). Therefore, the Committee will continue to urge those organizations, where appropriate, to develop ways, as a matter of urgency, to assist their member States in this endeavour. Where appropriate, the Committee will also focus on encouraging organizations to establish a special unit devoted to counter-terrorism-related issues, including those concerning the implementing of resolution 1373 (2001).

IV. Transparency in the work of the Committee

20. Transparency will continue to be a major objective of the work of the Counter-Terrorism Committee.

21. The Committee will continue to communicate information about its activities on a regular basis, including through briefings by the Chairman to interested delegations.

22. The Committee will continue to update its website (http://www.un.org/sc/ctc) as a source of detailed information on all issues related to Security Council resolution 1373 (2001).

23. The Committee will continue to maintain close relations with organizations and programmes of the United Nations and to inform organizations outside the United Nations about the Committee's work through attendance at regional meetings and conferences.

24. States are encouraged to make direct contacts with the subcommittees or the Executive Director of the Counter-Terrorism Committee Executive Directorate to seek any necessary clarification on the issues covered in their correspondence with the Committee or on any other issue. (Telephone: 1 212 457 1853; fax: 1 212 457 4041; and/or email: charles@un.org.). In addition, the Executive Directorate may, when deemed appropriate, contact States to seek further clarification from them on issues arising from their reports.

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Draft resolution

The Security Council,

Reaffirming its previous resolutions on the situation in Timor-Leste, in particular its resolutions 1543 (2004) of 14 May 2004 and 1573 (2004) of 16 November 2004,

Having considered the report of the Secretary-General of 18 February 2005 (S/2005/99),

Commending the people and the Government of Timor-Leste for the peace and stability they have achieved in the country, as well as for their continuing efforts towards consolidating democracy and strengthening State institutions,

Further commending the United Nations Mission of Support in Timor-Leste (UNMISET), under the leadership of the Special Representative of the Secretary-General, and welcoming the continuing progress made towards the completion of key tasks inscribed in its mandate, particularly during its consolidation phase, in accordance with Security Council resolutions 1543 (2004) and 1573 (2004),

Paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to institutional capacity-building and social and economic development,

Expressing its appreciation to those Member States which have provided support to UNMISET,

Having considered the letter dated 20 January 2005, from the Prime Minister of Timor-Leste to the Secretary-General (S/2005/103),

Noting the Secretary-General's analysis of the need for a United Nations presence to remain in Timor-Leste after 20 May 2005, although at a reduced level,

Noting also that the emerging institutions in Timor-Leste are still in the process of consolidation and that further assistance is required to ensure sustained development and strengthening of key sectors, mainly rule of law, including justice, human rights, and support for the Timor-Leste police, and other public administration,

Acknowledging the excellent communication and good will that have characterized relations between Timor-Leste and Indonesia including the decision to establish a Truth and Friendship Commission, and their land border agreement signed in Dili 8 April 2005, which covers approximately 96 percent of the land

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border, and encouraging continued efforts by both Governments towards resolving this and all pending bilateral issues,

Acknowledging the Secretary-General's decision outlined in his letter to the Security Council dated 11 January 2005 (S/2005/96) to send a Commission of Experts to Timor-Leste and Indonesia to review the serious crimes accountability processes, and recommend further measures as appropriate,

Remaining fully committed to the promotion of long-lasting stability in Timor-Leste,

1. *Decides* to establish a one-year follow-on special political mission in Timor-Leste, the United Nations Office in Timor-Leste (UNOTIL), which will remain in Timor-Leste until 20 May 2006;

2. *Decides further* that UNOTIL will have the following mandate:

(i) to support the development of critical State institutions through provision of up to 45 civilian advisers;

(ii) to support further development of the police through provision of up to 40 police advisers, and support for development of the Border Patrol Unit (BPU), through provision of up to 35 additional advisers, 15 of whom may be military advisers;

(iii) to provide training in observance of democratic governance and human rights through provision of up to 10 human rights officers; and

(iv) to monitor and review progress in (i) through (iii) above;

3. *Requests* that, when implementing its mandate, UNOTIL emphasize proper transfer of skills and knowledge in order to build the capacity of the public institutions of Timor-Leste to deliver their services in accordance with international principles of rule of law, justice, human rights, democratic governance, transparency, accountability and professionalism;

4. *Requests further* that UNOTIL be led by a Special Representative of the Secretary-General, who will direct the operations of the mission and coordinate all United Nations activities in Timor-Leste through his office, with due attention to safety of personnel, and facilitated by appropriate levels of logistics support, including transportation assets, such as air transport when necessary;

5. *Requests* that the Secretary-General deploy some of the advisers, authorized in paragraph 2 (ii) above, to assist the National Police of Timor-Leste in developing procedures for and in training the Border Patrol Unit (BPU) and to assist the Timor-Leste Government in coordinating contacts with the Indonesian military, with the objective of transferring skills to the BPU to assume full responsibility for such coordination as soon as possible;

6. *Underlines* that United Nations assistance to Timor-Leste should be coordinated with the efforts of bilateral and multilateral donors, regional mechanisms, non-governmental organizations, private sector organizations and other actors from within the international community, and encourages the Special Representative of the Secretary-General to establish and chair a consultative group, made up of these stakeholders in Timor-Leste, that will meet regularly for that purpose;

7. *Urges* the donor community as well as the United Nations agencies and multilateral financial institutions to continue providing resources and assistance for the implementation of projects towards sustainable and long-term development in Timor-Leste, and urges the donor community to actively participate in the donor's conference scheduled to be held in April 2005;

8. *Encourages*, in particular, the Government of Timor-Leste, UNOTIL, the United Nations Secretariat, United Nations development and humanitarian agencies, and multilateral financial institutions to start immediately planning for a smooth and rapid transition, in Timor-Leste, from a special political mission to a sustainable development assistance framework;

9. *Reaffirms* the need for credible accountability for the serious human rights violations committed in East Timor in 1999, and, in this regard, underlines the need for the United Nations Secretariat, in agreement with Timor-Leste authorities, to preserve a complete copy of all the records compiled by the Serious Crimes Unit, calls on all parties to cooperate fully with the work of the Secretary-General's Commission of Experts, and looks forward to the Commission's upcoming report exploring possible ways to address this issue, including ways of assisting the Truth and Friendship Commission, which Indonesia and Timor-Leste have agreed to establish;

10. *Requests* the Secretary-General to keep the Council closely and regularly informed of developments on the ground and of the implementation of the mandate of UNOTIL, and the planning for a transition to a sustainable development assistance framework, and to submit a report within four months of the date of adoption of the present resolution and every four months thereafter, with recommendations for any modifications such progress might allow to size, composition, mandate and duration of the UNOTIL presence;

11. *Decides* to remain actively seized of the matter.

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Letter dated 22 April 2005 from the Permanent Representative of Argentina to the United Nations addressed to the President of the Security Council

Please find attached the report on the work of the Security Council during the Argentine presidency, in January 2005 (see annex). This report was written under my supervision, after consultation with the other members of the Security Council.

I should be grateful if you would circulate this letter and its annex as a document of the Security Council.

(*Signed*) César **Mayoral**
Ambassador

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Annex to the letter dated 22 April 2005 from the Permanent Representative of Argentina to the United Nations addressed to the President of the Security Council

Assessment of the work of the Security Council during the presidency of Argentina (January 2005)

Introduction

In January 2005 the Security Council considered more than a dozen issues regarding international peacekeeping and security, including some of the most sensitive conflict situations currently on the international agenda. Among the subjects we find Haiti, the situation in the Middle East, Iraq, the Sudan, Côte d'Ivoire, the Democratic Republic of the Congo, the Central African Republic, Afghanistan, Georgia, the humanitarian situation in Africa and counter-terrorism. In January 2005 the Security Council adopted three resolutions, three presidential statements and seven statements to the press.

Americas

Haiti

On 12 January, the Security Council held an open debate on the question concerning Haiti. At the end of the meeting the first presidential statement of the year was adopted (S/PRST/2005/1). The meeting started with a briefing by the Special Representative of the Secretary-General for Haiti, Juan Gabriel Valdés, on the current situation and the activities of the United Nations Stabilization Mission in Haiti (MINUSTAH). The presidential statement adopted after the debate summed up the points of interest expressed by the majority of the delegations, principally in reference to the need for the United Nations to remain in Haiti for all the necessary time and to the close connection among the issues of security, national reconciliation and development as key factors for stability in Haiti. The statement also addressed current issues of the Haitian situation and the needs in the areas of security, development, human rights and the political process. One of the most important results of the debate — reflected in the statement — is the decision of the Council to organize a mission to Haiti in conjunction with the Ad Hoc Advisory Group on Haiti of the Economic and Social Council before the next renewal of the mandate of MINUSTAH, in order to evaluate the needs in the field.

Asia

The situation in the Middle East

On 10 January, the Assistant Secretary-General for peacekeeping operations, Hédi Annabi, informed the Security Council about the incident that had occurred the day before in the immediate vicinity of the Blue Line in the Shab'a area. As a result of that incident, one French military observer died and another soldier of Swedish nationality was injured. The Assistant Secretary-General gave details regarding the circumstances of the incident, which originated in an attack by Hezbollah against a

patrol of the Israel Defense Forces. The Israeli military response to the attack resulted in the killing and wounding of the two aforementioned military observers.

In a statement to the press read by the President of the Security Council on 11 January, the members of the Council reiterated their call on the parties to live up to their commitments to fully respect the Blue Line and to exercise the utmost restraint. The members of the Council paid tribute to those who lost their lives or were injured and expressed their deepest sympathy and condolences to the families of the victims. They also reaffirmed the imperative to respect, in all circumstances, the safety and security of United Nations personnel.

The situation in the Middle East, including the Palestinian question

On 13 January, the Council held an open meeting at which the Under-Secretary-General for Political Affairs, Kieran Prendergast, gave his regular briefing on the situation in the Middle East. Its main aspects concentrated on the Palestinian presidential elections held on 9 January. Subsequently, informal consultations were held, at which Council members welcomed the results of the Palestinian elections, and considered the current situation in the Middle East and the means to resume a genuine political process and advance towards a just and sustainable peace in the region.

At the end of the meeting the Council adopted a presidential statement (S/PRST/2005/2) referring to the following issues: the Palestinian presidential elections, the future political process, in particular the Palestinian legislative elections, reinforcement of the Palestinian institutions, international assistance to the people and the Palestinian Authority and the necessity to implement the road map for a viable, democratic and sovereign Palestinian State, in peaceful and secure coexistence with Israel.

United Nations Interim Force in Lebanon

On 26 January, the Council held informal consultations during which the Assistant Secretary-General for Peacekeeping Operations presented the report of the Secretary-General regarding the United Nations Interim Force in Lebanon (UNIFIL). The members of the Council analysed the current situation in the area of operations of UNIFIL, expressing their concern about violations of the Blue Line. They also considered the draft resolution on the extension of the mandate of the Force.

On 24 January — before the above-mentioned consultations — the members of the Council held a meeting with troop-contributing countries for UNIFIL.

On 28 January the Council unanimously adopted resolution 1583 (2005), by which the mandate of UNIFIL was extended for six more months, until 31 July 2005.

Iraq

On 14 January, the Council heard a briefing by the representative of the Secretary-General on the International Advisory and Monitoring Board, Jean-Pierre Halbwachs, regarding its activities. He presented the report of the Board covering activities from May 2003 to June 2004 and giving details about the utilization of the funds from Iraqi oil sales and the controls established regarding the integrity of the

oil exports and oil products and the payments of the Iraq Development Fund. In some of these areas the Board identified failings that were duly reported to the Coalition Provisional Authority and the Iraqi authorities.

On 31 January, the President of the Security Council read a statement to the press about the Iraqi elections held the previous day. The members of the Council congratulated the Iraqi people for exercising their right to vote under adverse conditions and recognized the work of the Independent Electoral Commission, the poll workers and election observers, and at the same time welcomed the advice given by the United Nations Electoral Assistance Division and the United Nations Assistance Mission for Iraq (UNAMI), and by international experts. The members of the Council also referred to the subsequent steps in the transition process and the importance of reconciliation, national unity and an inclusive political process.

Afghanistan

On 10 January, the Council received a briefing by the Special Representative of the Secretary-General for Afghanistan, Jean Arnault, on the situation in the country and on the work of the United Nations Assistance Mission in Afghanistan (UNAMA). He highlighted the different aspects of the situation, making special reference to the parliamentary and local elections to be held in the spring of 2005, the security situation, the disarmament, demobilization and reintegration of Afghan militias, the plans on the fight against narcotics and the situation with regard to reconstruction and economic development.

After the meeting the President of the Security Council read a statement to the press in which the members of the Council renewed their support for the work of UNAMA and expressed their interest in the holding of parliamentary and local elections in the spring of 2005. The Council also called upon the international community to support the efforts currently under way on disarmament, demobilization and reintegration of Afghan militias and on combating the production and trafficking of narcotics.

Africa

Sudan

The Council welcomed the signature on 9 January in Nairobi of the Comprehensive Peace Agreement between the Government of the Sudan and the Sudan People's Liberation Movement (SPLM). The Council underlined the perseverance of the principal negotiators, First Vice-President Ali Osman Taha and the Chairman of SPLM, John Garang, and indicated its willingness to support the implementation of the Agreement through, among other actions, the deployment of a peace support operation.

In a statement to the press read by the President of the Security Council on 10 January, the members expressed their conviction that the signature of the agreement marked a watershed in the history of the country, and requested the Government of National Unity to work expeditiously to consolidate peace throughout the country. At the same time, the members expressed their belief that the Government must actively commit itself to ending the violence in Darfur and

stated that they would continue monitoring the situation in the region, especially the activity of the Mission of the African Union.

On 11 January, the Special Representative of the Secretary-General for the Sudan, Jan Pronk, briefed the Council on the situation in the Sudan and stressed that the Agreement initiated a process for peace consolidation. Regarding the Darfur region, he referred to the persistence of violence, human rights violations and the difficulties of the humanitarian situation as well as the halt in the Abuja peace talks. The members of the Council called upon the parties to fulfil their commitments and commended the active participation of the African Union.

Democratic Republic of the Congo

During informal consultations held by the Council on 6 January, the Special Representative of the Secretary-General for the Democratic Republic of the Congo, William Swing, presented the sixteenth report of the Secretary-General on the work of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), and briefed the Council on the latest developments in the transitional process in the Democratic Republic of the Congo. The members of the Council agreed in underlining their satisfaction with the strategic restructuring of MONUC in the field and considering that further endeavour was required in the following areas: the approval of the new Constitution as well as pending electoral legislation that must include the whole population; the necessity to set a specific date for the presidential elections, the disarmament and demobilization of the ex-combatants within a reasonable period of time, particularly of the militias of the ex-FAR/Interahamwe; and the implementation of a policy of zero tolerance for the perpetrators of sexual abuses within MONUC.

Côte d'Ivoire

On 25 January, during informal consultations, the Assistant Secretary-General for Peacekeeping Operations briefed the Council on the situation in Côte d'Ivoire. He noted that only limited progress had been achieved in implementing the plan, based on the Linas Marcoussis and Accra III Agreements, which the President of South Africa, Thabo Mbeki, had proposed to the Ivorian parties. The Assistant Secretary-General stated that the peace process in Côte d'Ivoire remained fragile and the security situation continued to be volatile, with criminality increasing and the economic situation deteriorating.

With regard to the difficult security context the Assistant Secretary-General underlined the need for the reinforcement of the United Nations Operation in Côte d'Ivoire (UNOCI) along the lines of the emergency requirements recommended in the third report of the Secretary-General on UNOCI, of 9 December 2004 (S/2004/962).

The members of the Council stressed that it was particularly important to find a rapid solution to the problem of revising article 35 of the Ivorian Constitution and the commencement of the plan of disarmament, demobilization and reintegration. The Council members also raised concerns that the continuing delays in the peace process were putting into increasing doubt whether the presidential elections could be organized as scheduled in October 2005.

Central African Republic

On 6 January, the Special Representative of the Secretary-General for the Central African Republic, Lamine Cissé, briefed the Council in informal consultations on the events that had occurred in the Central African Republic and the activities of the United Nations Peacebuilding Support Office in that country (BONUCA) since October 2004. The members of the Council welcomed the information regarding the progress made in the transitional process and requested the international community to continue to support it, in particular concerning the funding of the forthcoming elections.

In a statement to the press read by the President of the Security Council at the end of the consultations, the members requested renewed support for the international partners of the Central African Republic and, in particular, for the election process, and recalled that the only way to ease the normal functioning of the republican institutions in accordance with the new constitution was to create an appropriate environment for the organization of free, transparent and democratic elections.

Europe

Georgia

On 25 January, during informal consultations, the Special Representative of the Secretary-General for Georgia, Heidi Tagliavini, presented the report of the Secretary-General on the activities of the United Nations Observer Mission in Georgia (UNOMIG). She considered that for the early resumption of the peace process it was vital to re-establish the dialogue between the parties in the Georgia-Abkhazia peace process since this was one of the short-term objectives of UNOMIG. At the same time she considered that the solution to the conflict had to be an integral one, based on previous Security Council resolutions, which must include a settlement of the political status of Abkhazia within the State of Georgia. She also considered that the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" was a good starting point and said that the following meeting of the Group of Friends for Georgia, foreseen for the spring of 2005 at Geneva, would be very important as a means to move out of the current status quo. Finally, she remarked that the principal issues to be addressed by the parties would be economic cooperation, the return of refugees and internally displaced persons and political and security issues. The dialogue should be resumed through pertinent measures of trust between the parties. At the end of the meeting a statement to the press was adopted.

On 28 January, the Council adopted resolution 1582 (2005) by which the mandate of UNOMIG was extended for a period of six months, until July 2005, and the concepts expressed during the informal consultations of 25 January were reiterated.

Other matters

Counter-terrorism

The President of the Counter-Terrorism Committee, Ambassador Andrey Denisov, informed the Security Council about the achievements of the Committee at an open meeting on 18 January.

He stressed that the examination of the reports that Member States presented to the Committee by virtue of resolution 1373 (2001) was one of the key instruments for the development of the functions of the Committee, especially for the continuation of the permanent dialogue with Member States on progress achieved. However, he expressed concern about the increasing number of countries that presented their reports with delay. He mentioned that 75 countries were late in submitting their reports.

He also underlined the importance of the Counter-Terrorism Committee Executive Directorate becoming fully operational as soon as possible.

At the end of the meeting, the Council adopted a presidential statement (S/PRST/2005/3) endorsing the fourteenth 90-day work programme of the Counter-Terrorism Committee.

International Tribunals

On 18 January the Council unanimously adopted resolution 1581 (2005) in response to the request of the Secretary-General in his letter of 6 January, regarding the extension of the mandate of some of the ad litem judges of the International Tribunal for the Former Yugoslavia.

Humanitarian affairs

On 27 January, the Under-Secretary-General for Humanitarian Affairs, Jan Egeland, briefed the Council on the humanitarian situation in Africa.

He said that the emergencies in Africa would dominate the humanitarian agenda and that, of the 15 humanitarian calls made in 2004, 13 were for African countries. He also referred to the "triple threat" of food insecurity, HIV — which in 2004 took 1 million victims in the southern zone of Africa — and the lack of protection of people often linked to Governments that were too weak. In addition, he stated that limited access for humanitarian workers did not permit help to arrive to all of those who needed it.

Appendix I

Resolutions and statements adopted in January 2005

Resolutions

Resolution number	*Subject*
1581 (2005)	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
1582 (2005)	The situation in Georgia
1583 (2005)	The situation in the Middle East

Statements by the President

Statement number and date	*Subject*
S/PRST/2005/1 of 12 January 2005	The question concerning Haiti
S/PRST/2005/2 of 13 January 2005	The situation in the Middle East, including the Palestinian question
S/PRST/2005/3 of 18 January 2005	Threats to international peace and security caused by terrorist acts

Appendix II

Statements made to the press by the President of the Security Council in January 2005

Central African Republic (6 January)

The members of the Security Council heard a briefing by the Representative of the Secretary-General, Lamine Cissé, on the situation in the Central African Republic and the activities of the United Nations Peacebuilding Support Office in the Central African Republic (BONUCA). They reiterated their full support for the action of General Cissé in that country.

The members of the Council noted with satisfaction the progress made until now by Central Africans in the transitional process that will allow the restoration of constitutional legality and rule of law.

The members of the Council encouraged the international partners of the Central African Republic to continue to support this process, in particular concerning the funding of the forthcoming elections.

The members of the Council took note of the difficulties due to the recent decision of the transitional constitutional court that excludes some candidates for the presidential elections. They considered that the decision of the Head of State, General François Bozizé, to accept three candidatures that have been excluded by the transitional constitutional court was encouraging. They firmly invited General François Bozizé and all political actors to find rapidly an appropriate and consensual solution in order to save the electoral process and the transition, which have required a lot of efforts.

The members of the Council recalled that the only way to ease the normal functioning of the republican institutions in accordance with the new constitution is to create an appropriate environment for the organization of free, transparent and democratic elections. All necessary steps must be taken in this regard.

The members of the Council appealed to the international donor community to respond generously to the consolidated appeal process launched by the United Nations on behalf of the Central African Republic in order to address its preoccupying humanitarian needs.

The members of the Council requested the Secretary-General to inform them of any new developments in the situation in the Central African Republic, and to assess this situation through his Representative, no later than the end of March 2005.

Palestinian elections (10 January)

The Security Council welcomes the presidential elections of the Palestinian Authority held yesterday, 9 January 2005.

The members of the Council congratulate the Palestinian people on this election.

The Security Council will discuss this matter in depth next Thursday, 13 January 2005.

Sudan (10 January)

The members of the Security Council welcome the signature on 9 January in Nairobi, Kenya, of the comprehensive peace agreement for the North-South peace process in the Sudan. The perseverance of the principal negotiators, First Vice-President Ali Osman Taha, and the Chairman of the Sudan People's Liberation Movement, John Garang, embodies the promise of a new future for the Sudan.

Recalling Council resolutions 1547 (2004) and 1574 (2004), the members of the Council will expeditiously consider appropriate United Nations support for implementation of the peace agreement, including deployment of a peace support operation, and look to the international community, once implementation begins, to provide assistance for its implementation, as well as for the reconstruction and rehabilitation process.

The members of the Council note with appreciation the unflagging support of the international community as critical to the success of the North-South peace process. In particular, the Council commends the outstanding contribution of the Intergovernmental Authority on Development and expresses its gratitude for the efforts of members of the Troika.

The members of the Council express their hope and conviction that the signature of this agreement will mark a watershed in the history of the Sudan, look forward to its implementation, and call on the emerging Government of National Unity to work expeditiously to consolidate peace throughout the country.

The members of the Council believe that this emerging Government of National Unity must also commit itself fully and actively to ending the violence in Darfur, thereby extending the benefits of the comprehensive peace agreement throughout the national territory.

In this regard, the members of the Council express their continued determination to monitor the situation in Darfur and, recalling previous resolutions, underscore the obligations of all parties to maintain the 8 April 2004 N'djamena ceasefire and to work towards a peaceful settlement. Council members welcome the active engagement of the African Union and reiterate the need for continued support from the international community to the African Union.

Afghanistan (18 January)

The Security Council received a briefing by the Special Representative of the Secretary-General for Afghanistan, Jean Arnault, on the situation in Afghanistan and the work of the United Nations Assistance Mission in Afghanistan (UNAMA).

The Council supports the work of UNAMA and commends the work done by the Mission in accordance with relevant resolutions of the Council.

The Council looks forward to the holding of parliamentary and local elections in Afghanistan in the spring of 2005.

The Council calls upon the international community to support efforts currently under way on disarmament, demobilization and reintegration of Afghan militias and on combating the production and trafficking of narcotics.

Attacks and loss of life in the Middle East (11 January)

The members of the Security Council received a briefing from the Secretariat yesterday following the lethal attack by Hezbollah against an Israeli patrol and the Israeli military response, which resulted in the killing and wounding of United Nations military observers on 9 January.

The members of the Council reiterated their call on the parties to fulfil the commitments they have made to respect in its entirety the Blue Line and to exercise the utmost restraint.

The members of the Council paid tribute to those who have lost their lives or been injured in the service of the United Nations, and expressed their deepest sympathy and condolences to the victims and their families. They reaffirmed the imperative to respect, in all circumstances, the safety and security of United Nations personnel.

Georgia (25 January)

The members of the Security Council today heard a briefing by the Secretary-General's Special Representative for Georgia, Heidi Tagliavini, who presented to the Council members the Secretary-General's report on the activities of the United Nations Observer Mission in Georgia (UNOMIG).

They reiterated to the Special Representative their continued support. They stressed that UNOMIG must be in a position to fulfil its mandate unhindered, and emphasized that all parties must ensure appropriate security and freedom of movement for UNOMIG.

The members of the Council reaffirmed their commitment to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders. They discussed the next steps in support of the Georgian-Abkhaz peace process. They underlined the need for renewed efforts to achieve a lasting political solution to the conflict, based on the relevant Security Council resolutions, and expressed their hope for an early resumption of the dialogue between the two sides in order, inter alia, to prevent instability and to build mutual confidence.

They reiterated their support to the United Nations, with the assistance of the Russian Federation in its capacity as facilitator, as well as the Group of Friends of the Secretary-General, in the efforts to resolve the conflict. Members of the Council welcomed the intention of the Under-Secretary-General for Peacekeeping Operations, Jean-Marie Guéhenno, to travel soon to the region. They encouraged both parties to the conflict to participate constructively in the next high-level meeting of the Group of Friends.

Elections in Iraq (31 January)

The members of the Security Council welcome the Iraqi elections completed yesterday, 30 January 2005, and congratulate the Iraqi people on this positive step in the political development of Iraq. They commend the bravery of the millions of Iraqis who, facing adverse conditions, exercised their right to vote. The members of the Council also appreciate the efforts of the Iraqi Independent Electoral Commission and the thousands of Iraqi poll workers and election observers.

The members of the Council also appreciate the advice and support to the Iraqis of the Special Representative of the Secretary-General, Ashraf Jehangir Qazi, the United Nations Assistance Mission for Iraq, particularly the Director of the Electoral Assistance Division of the Department of Political Affairs, Carina Perelli, and the United Nations lead electoral adviser Carlos Valenzuela, as well as international electoral experts.

As the Secretary-General said, "The success of the election augurs well for the transition process. The next phase will be one in which the Transitional National Assembly drafts a permanent constitution for Iraq, which is expected to be put to a referendum in October 2005". In this context, the members of the Council welcome recent statements from Iraqi leaders stressing the importance of reconciliation and national unity.

The members of the Council will continue to follow developments in the coming days and affirm their ongoing support for Iraq's political transition in accordance with Security Council resolution 1546 (2004).

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Security Council

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Report of the Secretary-General on the situation in Abkhazia, Georgia

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1582 (2005) of 28 January 2005, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 July 2005. It provides an update of the situation in Abkhazia, Georgia, since my report of 17 January 2005 (S/2005/32).

2. My Special Representative for Georgia, Heidi Tagliavini, continued to head UNOMIG. She was assisted in this task by the Chief Military Observer, Major General Hussein Ahmed Eissa Ghobashi (Egypt). The strength of UNOMIG on 1 April 2005 stood at 121 military observers and 11 civilian police officers (see annex).

II. Political process

3. During the period under review, UNOMIG, led by my Special Representative, continued to carry out its mandated tasks and to promote dialogue between the Georgian and Abkhaz sides on political and security issues, the return of refugees and internally displaced persons, and economic cooperation. The Group of Friends actively supported those efforts, the ultimate aim of which is to create the necessary trust for meaningful negotiations between the parties on a comprehensive political settlement of the conflict based on the paper entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and its transmittal letter (see S/2002/88, para. 3).

4. During the reporting period, a new leadership emerged in Sukhumi, and the inauguration of Sergey Bagapsh as de facto President on 12 February paved the way for renewed discussions between the parties. However, two unsuccessful attacks on vehicles carrying the de facto Prime Minister, Alexander Ankvab, on 28 February and 1 April near Sukhumi underlined the continuing fragility of the situation in Sukhumi.

5. In Tbilisi, events were affected by the death of the Prime Minister, Zurab Zhvania, on 3 February 2005. Following the appointments of Zurab Nogaideli as the new Prime Minister and Irakli Alasania as President Saakashvili's Special

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Representative for a Georgian-Abkhaz settlement, the Georgian leadership underlined its continued desire for a renewed engagement in the peace process.

6. On 16 March, Abkhaz officials announced that, on the previous day, Georgian coastguard patrol boats had attempted to intercept a foreign cargo ship in waters near Sukhumi. They reported another Georgian coastguard boat near Sukhumi on 16 March. The Abkhaz side called the incidents an attempt to compel the Abkhaz side once again to withdraw from the negotiation process. The Georgian side denied the allegations. My Special Representative immediately initiated direct communication between the sides in an effort to clarify the situation and defuse the tension.

7. During this period, the consistent efforts of my Special Representative to defuse tensions and prepare the ground for the resumption of dialogue between the parties were supported by the Group of Friends and the Russian Federation, in its capacity as facilitator. My Special Representative briefed the Group of Friends in New York on the periphery of Security Council consultations in January. Ambassador Uwe Schramm, the German Ambassador to Georgia and Coordinator of the Tbilisi-based Group of Friends, visited Sukhumi at the end of January. Early in February, Sir Brian Fall, the United Kingdom Special Representative for the South Caucasus, visited Tbilisi and Sukhumi. At the same time, my Special Representative continued to be in contact with Heikki Talvitie, the European Union Special Representative for the South Caucasus, and held consultations with Robert Simmons, the NATO Special Representative for the Caucasus and Central Asia. She also met in Tbilisi with Laura Kennedy, the United States Deputy Assistant Secretary of State, and Elisabeth Rood, Deputy to the United States Special Negotiator for Eurasian Conflicts.

8. From 14 to 17 February, the Under-Secretary-General for Peacekeeping Operations visited Tbilisi and Sukhumi. Accompanied by my Special Representative, the Under-Secretary-General met with the top leadership of the two sides, the Ambassadors of the Group of Friends, the Commander of the collective peacekeeping forces of the Commonwealth of Independent States (CIS), and representatives of United Nations agencies and other international organizations. While acknowledging the differences in the positions of the two sides on the underlying issues of the conflict, in particular concerning status, the Under-Secretary-General encouraged the sides to seek progress on matters of practical cooperation in the three priority areas of the peace process, wherever possible, without prejudice to their position of principle. In response, both the Georgian and the Abkhaz side expressed willingness to resume dialogue on issues related to security, the return of refugees and internally displaced persons, and economic cooperation, and agreed to participate in the next high-level meeting with the Group of Friends at Geneva.

9. Further efforts by my Special Representative, in consultation with the two sides, to consolidate the ground for the resumption of the peace process followed the visit. In addition, Ambassador Norbert Baas, Special Envoy of the German Foreign Office for Russia, the South Caucasus and Central Asia, visited Tbilisi and Sukhumi in March. At the same time, my Special Representative travelled to Moscow to meet with Valery Loshchinin, First Deputy Foreign Minister and Special Representative of the President of the Russian Federation for the Georgian-Abkhaz settlement.

Ambassador Steven Mann, United States Special Negotiator for Eurasian Conflicts, also visited Tbilisi and Sukhumi, on 11 and 12 April.

10. On 7 and 8 April, under the chairmanship of the Under-Secretary-General for Peacekeeping Operations, high-level representatives of the Group of Friends of the Secretary-General met at Geneva, with the participation of the parties. The Georgian delegation was led by the State Minister for Conflict Resolution, George Khaindrava, and the Abkhaz delegation was led by the de facto Foreign Minister, Sergey Shamba. This was the second time that the two parties had participated in the Geneva meetings since February 2003 and the first time since suspension of the contacts in July 2004. My Special Representative also participated, and a representative of the Office of the United Nations High Commissioner for Refugees (UNHCR) briefed the group.

11. Together with the United Nations representatives, the Friends held separate meetings with each side in order to explore their respective concerns and possible areas for follow-up discussions between the sides. During the exchange, the Georgian side emphasized its willingness to pursue practical discussions with the Abkhaz side, including in the economic field, but also emphasized the right of refugees and internally displaced persons to return and, in this context, the need for measures to address human rights and security in the Gali district. The Abkhaz side, for its part, undertook to pursue the opening of a branch human rights office of UNOMIG and Georgian-language instruction in the Gali district, but stressed its security concerns, and urged that militant rhetoric in Tbilisi be avoided. It also urged that restrictions imposed by CIS in 1996 should be lifted, and emphasized that economic projects, such as the reopening of the Sochi-Tbilisi railway, could assist in building confidence between the sides. Both parties reacted positively to the proposals presented by UNHCR, which aim to build trust and confidence at the grass-roots level, verify the numbers and needs of the displaced population, and develop mechanisms for monitoring and protection, addressing basic social and economic needs and creating conditions conducive to future returns. The Friends also discussed a proposal by Germany to host a conference on economic confidence-building and cooperation, which could provide an opportunity for the parties to explore mutually beneficial economic projects.

12. The discussions in Geneva highlighted the differing priorities of the two sides, and the importance of building trust between them if there is to be progress on political issues. The presence of the parties did confirm their willingness to re-engage with one another and paved the way for renewed discussions in the relevant task forces and working groups established in the three priority areas.

13. Following the Geneva meeting, my Special Representative led a joint visit of senior representatives from both sides to Italy, to study the successful experience in the field of institution-building and economic development in the autonomous region of Trentino-South Tyrol, at the invitation of the Government of Italy and the local authorities. The visit, from 9 to 13 April, provided the two sides with an opportunity to assess at first hand the institutional and economic transformation of the region and its provinces, the development of a sustainable economy based on agriculture and tourism in a similar climatic and geographical environment, and the devolution of competencies and instruction in the mother tongue, eventually leading to economic prosperity and successful social integration of various local linguistic

and ethnic populations. The sides expressed interest in follow-up exchanges with the region in addressing outstanding practical issues.

III. Operational activities

14. During the reporting period, UNOMIG continued regular patrols in the security zone and the restricted weapons zone on both sides of the ceasefire line. During the patrols, UNOMIG reported two violations of the Moscow Agreement by the Abkhaz side. On 1 February, 13 T-55 tanks and two BMP-2 armoured personnel carriers were observed in the Ochamchira training area in the Gali sector restricted weapons zone. On 31 March, three Abkhaz tanks were observed in the same area, where the Abkhaz side also restricted the freedom of movement of a UNOMIG patrol. UNOMIG protested about these violations to the Abkhaz side.

15. The weekly quadripartite meetings and the work of the Joint Fact-finding Group continued regularly, with the exception of two meetings in the first half of March which were cancelled, owing to the absence of representatives of the Abkhaz side and the CIS peacekeeping force. Their absence was linked to an incident on 28 February between Abkhaz security personnel and the CIS peacekeeping force at the main Inguri River bridge, which was later resolved.

16. The Joint Fact-finding Group concluded its investigation into an incident that occurred on 11 January, on the eve of the repeat elections for the de facto Abkhaz presidency, in which increased activity by Abkhaz militia and special forces units culminated in an operation in the Ganmukhuri area (on the Georgian-controlled side of the ceasefire line). The operation, which resulted in the detention of 17 people, several of them on the Georgian-controlled side of the ceasefire line, led to increased tension on the ground and the deployment of additional Georgian detachments along the ceasefire line. The investigation concluded that the Abkhaz forces had violated the Moscow Agreement by unintentionally crossing the ceasefire line. It also concluded that neither side had exceeded the agreed limit of 600 personnel in the security zone.

Gali sector

17. The overall situation in the Gali sector remained generally calm during the reporting period, but a total of 20 robberies, one abduction, one shooting and 21 cases of detention were recorded. In four of the robberies, the victims sustained major injuries and one died. In addition, there was an attempted burglary of a house occupied by United Nations personnel, during which a shotgun was fired.

Zugdidi sector

18. The overall situation in the Zugdidi sector also remained generally calm during the reporting period, but several criminal incidents were recorded. On 30 January, a Georgian police patrol was ambushed during an anti-smuggling operation along the Inguri River in the area of Shamgona (in the security zone). During the exchange of fire, one police officer was killed and two others seriously injured. The Joint Fact-finding Group is currently investigating the incident. In another incident on 21 March, a Georgian special-purpose unit of the Interior Ministry, deployed in Ganmukhuri close to the ceasefire line, detained four CIS peacekeeping soldiers who, according to the Georgian officers, lacked clearly marked CIS insignia. The

peacekeepers were released on the same day after their identity was confirmed. On the following day, the CIS peacekeeping force temporarily encircled the headquarters of the Georgian unit, questioning the right of such a unit to be deployed in close proximity to the ceasefire line. The Georgian State Minister for Conflict Resolution and the Commander of the CIS peacekeeping force, Lieutenant General Alexander Evteev, met jointly with a UNOMIG representative on 24 March to discuss the incident. They agreed that the Joint Fact-finding Group would investigate and accepted the proposal of UNOMIG that a special meeting be convened to discuss possible mechanisms that would prevent such incidents in the future. On 10 April, following a decision taken at the weekly quadripartite meeting, the Georgian Interior Ministry unit was moved 150 metres away from the ceasefire line.

Kodori Valley

19. UNOMIG conducted four joint patrols with the CIS peacekeeping force to the Abkhaz-controlled lower Kodori Valley, most recently on 5 April. Three of the patrols were accompanied by UNOMIG engineers to assess road damage and estimate the costs of repair. UNOMIG is also reviewing the feasibility of resuming regular patrols in the upper Kodori Valley, which would require appropriate security guarantees from the two sides as well as progress on other related issues.

IV. Policing issues

20. During the reporting period, the UNOMIG civilian police component continued to operate on the Zugdidi side of the ceasefire line, where it maintained good cooperation with local law enforcement agencies. It provided input for the weekly quadripartite meetings and the investigations of the Joint Fact-finding Group, including forensic assistance. However, the refusal of the Abkhaz side to allow the deployment of the planned nine civilian police officers on the Gali side continued to hamper cross-ceasefire-line cooperation, to hinder progress in criminal investigations and to limit the effectiveness of preventive anti-crime efforts.

21. The UNOMIG civilian police component conducted on-the-job field training for Georgian police officers, in addition to providing a basic police training course and a management and guidance seminar. In addition, with sponsorship by the Government of Norway, UNOMIG civilian police together with visiting Norwegian police trainers provided a two-week training course in human rights and law enforcement issues for Georgian police management personnel and a crime prevention and community policing seminar for local authorities.

V. Cooperation with the collective peacekeeping force of the Commonwealth of Independent States

22. UNOMIG and the CIS peacekeeping force maintained regular contact and close cooperation at all levels throughout the reporting period. UNOMIG military observers and CIS troops conducted four joint patrols in the lower Kodori Valley. The CIS force assisted UNOMIG in recovering three Nyala patrol vehicles, which had become stuck in the soft roads near Pitchori in the lower Gali district, providing overnight security for the vehicles and providing recovery equipment.

VI. Human rights and humanitarian situation

23. During the reporting period, the United Nations human rights office in Abkhazia, Georgia, continued its efforts to promote human rights protection and to provide support to local non-governmental organizations.

24. On 19 and 20 February, the office facilitated the first visit to Sukhumi by Manfred Nowak, the Special Rapporteur of the Commission on Human Rights on torture and other cruel, inhuman or degrading treatment or punishment. The Special Rapporteur met with Abkhaz officials and with civil society representatives, visited pre-trial detention facilities, and interviewed convicted prisoners (see his preliminary note to the Economic and Social Council (E/CN.4/2005/62/Add.3)).

25. During the reporting period, the office followed up with local residents and Abkhaz authorities on several alleged cases of involuntary disappearance, religious intolerance and ill-treatment in detention. Several cases of denied access to detainees and reluctance to cooperate with the office were registered: on four occasions, human rights officers were not allowed to visit detainees in facilities under the control of the de facto Ministry of the Interior in Gulripshi district and in Sukhumi city.

26. The office continued, in partnership with the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe, the European Commission and bilateral donors, to facilitate and implement projects aimed at strengthening the non-governmental sector and building local capacity in protection and promotion of human rights. It also continued to provide legal advisory services to local residents and monitor trials and pre-trial detention facilities.

27. In March, the office, supported by UNOMIG police experts, commenced a seven-week training course in human rights and law enforcement in the militia training centre in Sukhumi.

28. United Nations agencies and international and non-governmental organizations continued their efforts to help vulnerable groups by providing access to food, medical aid and infrastructure assistance, as well as building the capacities of local organizations, developing peace education, empowering women and creating economic opportunities.

29. In the health sector, the assistance given by the United Nations Children's Fund, the International Committee of the Red Cross (ICRC) and Médecins sans frontières continued to focus on food security, the provision of medicines, testing kits and equipment to Abkhaz hospitals, the provision of free health services to vulnerable groups and the tuberculosis treatment programme. In the education sector, the efforts of UNHCR, ICRC and the United Nations Volunteers programme focused on distribution of educational materials, language, computer and business education, and education in basic humanitarian law.

30. In the rehabilitation sector, the United Nations Development Programme (UNDP) conducted assessments of the local microfinance, agriculture and water supply systems as part of its rehabilitation programme in the Gali, Ochamchira and Tqvarcheli districts. The European Commission continued rehabilitation activities at the Inguri Hydropower Plant. International non-governmental organizations, such as Première Urgence and Acción contra el Hambre, continued to implement small-

scale rehabilitation and community development projects. The United Nations Development Fund for Women helped to organize the first of a series of informal meetings of women leaders from the Gali, Ochamchira and Tqvarcheli districts. HALO Trust continued its demining operation and, to date, has cleared over 2.5 million square metres of land.

31. UNOMIG continued to contribute to those efforts through its trust fund for quick-impact projects, which also benefited from contributions from the Government of Switzerland. In addition, the Government of Switzerland seconded and financed, for the third consecutive year, a trust fund officer to the Mission. UNOMIG also continued to collaborate with UNDP and the European Union in preparation of a two-year joint rehabilitation programme for the Gali, Ochamchira, Tqvarcheli and Zugdidi districts.

VII. Observations

32. The willingness of the Georgian and Abkhaz sides to resume, after a prolonged suspension, their participation in the negotiation process is a welcome development, and may usher in a period of renewed possibilities for progress. The degree to which this potential can be realized will depend upon the parties' willingness to continue their engagement on practical issues and, ultimately, to address the core political questions that are central to achieving a comprehensive political settlement of the conflict. Sustained and coordinated external support will be crucial for progress. The United Nations stands ready to do its utmost to assist.

33. Since my previous report, I have been encouraged by signals from the two sides of their interest in the settlement of the conflict by peaceful means only and in engaging in a pragmatic manner on issues related to security, the return of refugees, economic cooperation and confidence-building measures. While basic differences in the underlying positions of the two sides remain, the renewed spirit of cooperation and dialogue is welcome and should be encouraged.

34. In order to maintain the momentum gained in Geneva, I encourage both sides to move forward through their resumed discussions in the relevant task forces and working groups. In order to ensure the trust necessary to allow progress, it is essential that both sides refrain from militant rhetoric. A joint formal affirmation by the two sides of their commitment to the non-resumption of hostilities and a peaceful settlement of the conflict could make a valuable contribution to this process. I welcome the positive reaction of the parties to the proposals of UNHCR, which should pave the way for the verification exercise. It is also encouraging to note the renewed willingness of the Abkhaz side to work towards the establishment in the Gali district of a UNOMIG branch human rights office, and to address the issue of the language of instruction in the area. I would encourage a similarly constructive approach to the deployment of UNOMIG civilian police in the Gali district.

35. The freedom of movement of UNOMIG personnel in implementing its mandated tasks must be respected. The Abkhaz authorities must ensure free and unrestricted access by the United Nations human rights office in Sukhumi to places of detention, in accordance with the mandate of the office.

36. The personal safety and security of United Nations personnel remains a priority matter, and I urge both sides to continue to ensure the safety of UNOMIG personnel at all times, and also to identify and bring to justice the perpetrators of criminal acts, including those responsible for the ambush of a UNOMIG bus in Sukhumi in September 1998, the shooting down of a UNOMIG helicopter in the Kodori Valley in October 2001, and hostage-taking incidents. Regular patrolling in the Kodori Valley remains an integral part of the Mission's mandate; cooperation by both sides on security matters and other related actions is essential to its resumption.

37. In conclusion, I would like to express my deep appreciation to my Special Representative for her untiring efforts to achieve a lasting solution to the conflict. I would also like to thank the Chief Military Observer and all the dedicated military and civilian personnel of UNOMIG for their courage and commitment in performing their duties in a difficult and often dangerous environment.

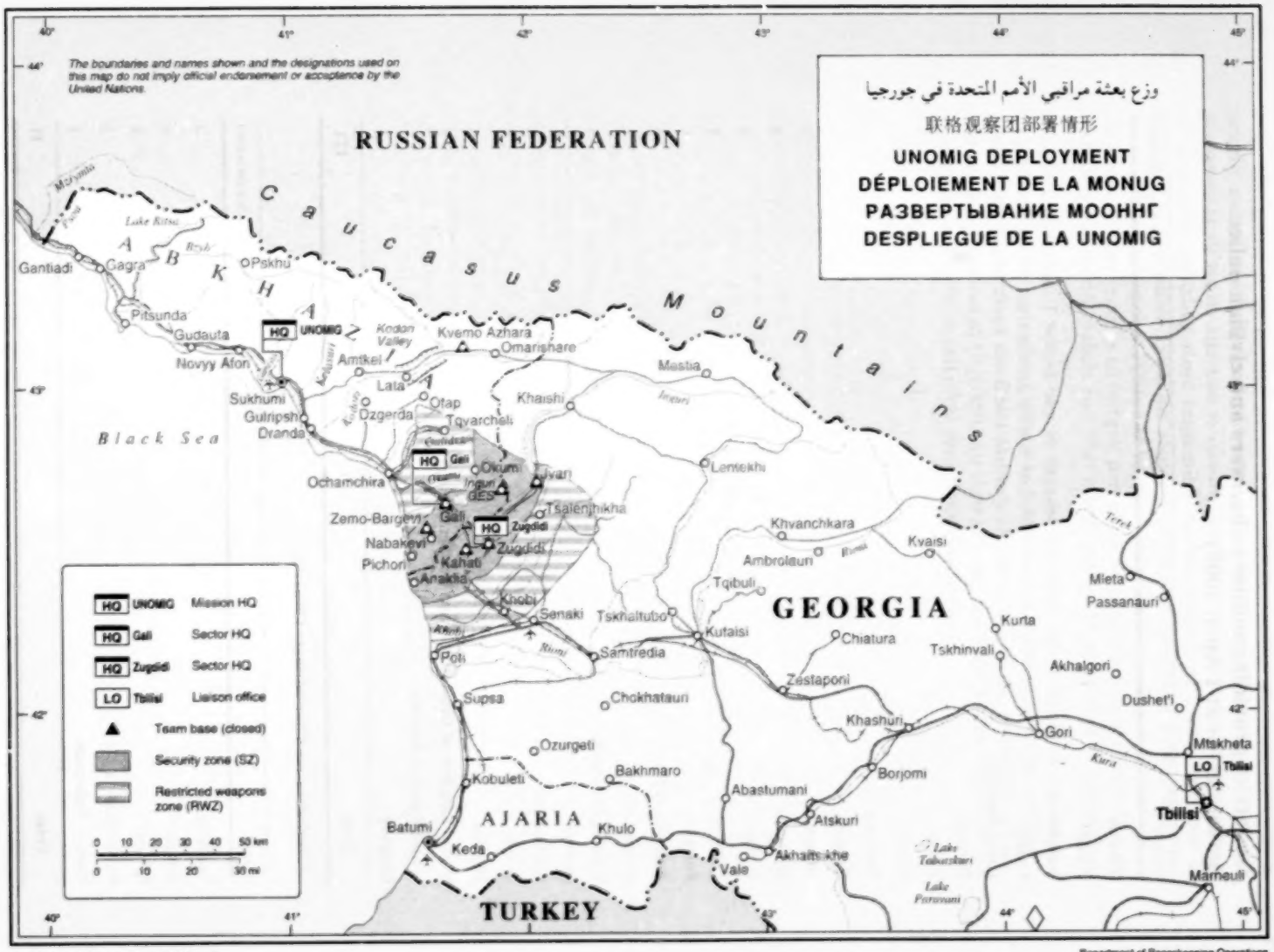
Annex

Countries providing military observers and civilian police personnel (as at 1 April 2005)

Country	*Military observers*
Albania	3
Austria	2
Bangladesh	7
Croatia	1
Czech Republic	5
Denmark	5
Egypt	6*
France	3
Germany	12
Greece	5
Hungary	7
Indonesia	4
Jordan	8
Pakistan	8
Poland	5
Republic of Korea	7
Romania	1
Russian Federation	3
Sweden	3
Switzerland	4
Turkey	5
Ukraine	5
United Kingdom of Great Britain and Northern Ireland	7
United States of America	2
Uruguay	3
Total	**121**

* Including the Chief Military Observer.

Country	*Civilian police personnel*
Germany	4
Hungary	2
Poland	1
Switzerland	3
Russian Federation	1
Total	**11**


The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
وزع بعثة مراقبي الأمم المتحدة في جورجيا
联格观察团部署情形
UNOMIG DEPLOYMENT
DÉPLOIEMENT DE LA MONUG
РАЗВЕРТЫВАНИЕ МООННГ
DESPLIEGUE DE LA UNOMIG
RUSSIAN FEDERATION
Caucasus Mountains
Black Sea
GEORGIA
TURKEY
ABKHAZIA
AJARIA
HQ UNOMIG
HQ Gali
HQ Zugdidi
LO Tbilisi
Gantiadi
Gagra
Pskhu
Pitsunda
Gudauta
Novyy Afon
Sukhumi
Gulripshi
Dranda
Ochamchira
Tkvarcheli
Otap
Dzgerda
Amtkel
Lata
Kvemo Azhara
Omarishare
Khaishi
Mastia
Lentekhi
Okumi
Tsalenjikha
Zemo-Bargevi
Nabakevi
Pichori
Kahati
Anaklia
Khobi
Senaki
Tsknaltubo
Kutaisi
Chiatura
Tqibuli
Ambrolauri
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Kvaisi
Mleta
Passanauri
Kurta
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Khashuri
Gori
Borjomi
Abastumani
Atskuri
Akhalts'khe
Vale
Mtskheta
Tbilisi
Marneuli
Lake Tabatskuri
Lake Paravani
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Security Council

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Letter dated 25 April 2005 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

I have the honour to write to you on behalf of the Mediator of the African Union Mediation Mission on Côte d'Ivoire and attach the following documents for your consideration:

1. The Pretoria Agreement on the Peace Process in Côte d'Ivoire (annex I);
2. The letter of determination on article 35 of the Constitution of Côte d'Ivoire from the Mediator addressed to the Ivorian leaders (annex II).

I should be grateful if you would have these documents circulated as a document of the Security Council.

(*Signed*) Dumisani S. **Kumalo**
Ambassador and Permanent Representative

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Annex I to the letter dated 25 April 2005 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

[Original: English and French]

Pretoria Agreement on the Peace Process in Côte d'Ivoire

6 April 2005

1. At the invitation of the Mediator of the African Union, His Excellency Mr Thabo Mbeki, President of the Republic of South Africa, a meeting of the Ivorian political leaders was held in Pretoria from 3 to 6 April 2005. His Excellency Mr Laurent Gbagbo, President of the Republic of Côte d'Ivoire, Prime Minister Seydou Diarra representing the Government of National Reconciliation, former President Henri Konan Bédié, representing the Parti Démocratique de Côte d'Ivoire (PDCI), former Prime Minister Alassane Dramane Ouattara, representing the Rassemblement de Républicains (RDR) and Minister of State Guillaume Soro, Secretary General of the New Forces participated in this meeting. The meeting was chaired by President Mbeki.

2. The leaders reviewed the current situation in Cote d'Ivoire and took a number of decisions relating to outstanding issues on the implementation of the Linas-Marcoussis and Accra II and III Agreements. The Ivorian leaders reaffirmed:

   - their commitment to the Linas-Marcoussis, Accra II and III Agreements;
   - their commitment to the roadmap elaborated by the AU Mediator;
   - their commitment to all the resolutions of the United Nations on Côte d'Ivoire;
   - their commitment to respecting the sovereignty, independence, integrity and unity of the Côte d'Ivoire;
   - their determination regarding the need to organise presidential elections in October 2005 and legislative elections that follow immediately thereafter;
   - their sincere and joint willingness to create a political climate that is conducive to acquiring lasting peace rapidly;

   The meeting reemphasised its appreciation of the importance of the resolution of the Ivorian crisis in the interest of the Ivorian people, the West African region and Africa as a whole.

Joint declaration of the end of the War

3. The Ivorian parties that are signatories to the Pretoria Agreement hereby solemnly declare the immediate and final cessation of all hostilities and the end of the war throughout the national territory. In this regard, they unequivocally repudiate the use of force as a means to resolve differences amongst themselves. They acknowledged that the war has brought untold misery and suffering upon the Ivorian people. The war has also led to a serious decline of the economy of the Côte d'Ivoire with negative consequence for the West-African region. The Ivorian leaders hereby reaffirm the sacred right of the Ivorian people to peace and development.

The Mediator reiterated his disapproval and condemnation of the ceasefire violations on November 4 - 6, 2004, and on February 28, 2005; as well as the violence of 6 - 9 November 2004 and calls on all parties and Ivorian people in general, to work together to prevent incidences of violence and war.

Disarmament and Dismantling of the Militia

4. The parties agreed to immediately proceed with the disarmament and dismantling of the militia throughout the entire national territory. In this regard, the following implementation steps were agreed to:

   a. The Prime Minister of the Government of National Reconciliation will implement the Joint Operation Plan in order to achieve the disarmament and the dismantling of the militia.

   b. For this purpose, the President of the Republic, His Excellency Mr Laurent Gbagbo, Head of State, Chief of the Defence Force, Chairperson of the Defence Command Council, will select units of the Defence and Security Forces to assist the Prime Minister in his mission to disarm and dismantle the militia.

   These units of the Defence and Security Forces will be placed at the disposal of the Prime Minister and will be supported by the Impartial Forces.

Disarmament, Demobilisation and Reintegration (DDR)

5. It was agreed that the Chiefs of Staff of the National Armed Forces of the Côte d'Ivoire (FANCI) and the Armed Forces of the New Forces (FAFN) meet immediately in order to ensure the implementation of the National Disarmament, Demobilisation and Reintegration Plan (PNDDR).

   The two Chiefs of Staff will be supported by a team of experts appointed by the Mediation.

   The Chiefs of Staff have also been mandated to formulate specific recommendations in respect of the formation of one army based on values of integrity and republican morality and the restructuring of the defence and security forces as contemplated in paragraph 3 (f) of the Linas-Marcoussis Agreement. These recommendations should be submitted to the Government of National Reconciliation.

   In order to address the concerns expressed by the parties that are signatories to this Agreement, the Defence and Security Forces and the Armed Forces of the New Forces have agreed to meet on Thursday 14 April 2005 in Bouaké. The Prime Minister will join this important meeting, which will mark the resumption of contact between the FANCI and FAFN as well as the commencement of the DDR process.

Ensuring security in the area under New Forces' control

6. The parties that are signatories to this agreement admitted that there is a need to guarantee the security of people and assets as soon as the cantonment of the New Forces in the North commences and the following temporary and interim measures listed below will apply:

   a. Six hundred (600) individuals from the FAFN will be recruited and trained on the basis of national gendarmerie and police criteria that are in force. The training will be conducted under the auspices of the police component of ONUCI.

   b. These elements will be deployed alongside the ONUCI forces.

   c. As soon as the administration of the State is re-established throughout the national territory, the individuals concerned will return to the academy obtain further training at the police and gendarmerie academy with a view to their integration in the national police and national gendarmerie corps.

Security of the members of the Government from the New Forces

7. The parties that are signatories to this agreement accepted the plan proposed by the Mediation ensuring security for the New Forces Ministers of the Government of National Reconciliation.

   Consequently, the FN accepts to return to the Government of National Reconciliation.

Delegation of powers to the Prime Minister

8. It was agreed that the Prime Minister of the Government of National Reconciliation requires the necessary executive authority to accomplish his mission appropriately.
   It was agreed that the delegated powers that the Prime Minister has are sufficient to enable him to accomplish his mission in accordance with the Linas-Marcoussis Agreement.

   Consequently, the President of the Republic reaffirms the authority of the Prime Minister.

Independent Electoral Commission

9. The parties who are signatories to this agreement agree to make amendments to the composition, organisation and functioning of the current Independent Electoral Commission:

a. Composition and functioning of the Central Commission of the IEC:
   - Two (2) representatives nominated by each party that is a signatory to the Linas-Marcoussis Agreement, of whom six (6) from the New Forces;
   - Only representatives of the parties that are signatories to the Linas-Marcoussis Agreement as well as the representative of the President of the Republic and of the President of the National Assembly have a voting right.
   - A new amendment will be proposed to the National Assembly to allow all parties to designate representatives to the IEC.

b. Composition and functioning of the Bureau of the Central Commission
   - The members of the Bureau of the Central Commission are elected by the Central Commission
   - The Bureau of the Central Commission is made up of twelve (12) members in the following manner:
     - One (1) representative for each party that is a signatory to the Linas-Marcoussis Agreement, i.e. a total of ten (10) members;
     - One (1) representative of the President of the Republic;
     - One (1) representative of the President of the National Assembly.

c. Term of the members of the Central Commission
   - The term of the members of the Central Commission expires at the end of the general elections.

Organisation of elections

10. The parties that are signatories to the agreement are aware of the difficulties and the sensitivities related to the elections.

To ensure that free, fair and transparent elections are held, the parties agree that the United Nations be invited to participate in the work of the Independent Electoral Commission. For this purpose, they have mandated the Mediator, His Excellency Mr Thabo Mbeki to request the United Nations on behalf of the Ivorian People to participate in the organisation of general elections.

The parties extend the same request to the United Nations with respect to the Constitutional Council.

The United Nations must ensure that the requested intervention mission has an appropriate mandate and power to fulfil its function.

Composition of the Board of Directors of the Ivorian Radio and Television (RTI)

11. The RTI is an important institution that should be used to contribute to national unity and reconciliation.

Consequently, the programme of the RTI must immediately cover the whole national territory. It was also decided to restore the status of the RTI to that it enjoyed before 24 December 2004. Decrees 2004-678 and 2005-01 will be revoked forthwith.
Furthermore, the Minister of State Guillaume Soro, in consultation with the Prime Minister, will present a draft decree on the appointment of members of the board of directors of the RTI.
(Consequently the programme of the RTI should cover the whole territory; he

Re-tabling of laws before the National Assembly

12. The parties that are signatories to this agreement accepted the determination of the mediation regarding the adoption of the texts that emanated from Linas-Marcoussis.
They mandate the Prime Minister to instruct the ministers responsible for the drafting of the concerned draft laws for adoption by the National Assembly.

The signatories of the present Accord invite all the members of parliament of the nation to support these amendments, the adoption of which must be finalised by the end of April 2005.

Financing of political parties

13. The signatories of this agreement have accepted to extend the principle of financing of political parties to those parties that are not represented in Parliament due to the political context that prevailed in the past.

Eligibility to the Presidency of the Republic

14. The meeting discussed the matter of the finalisation of the amendment of the Constitution in relation to Article 35. Having listened to the views of the Ivorian leaders, the Mediator undertook to make a determination on this matter after consultation with His Excellency President Olusegun Obasanjo and the Secretary General of the United Nations, His Excellency Kofi Annan, which determination will be communicated to the Ivorian leaders. The Mediator will act expeditiously to finalise this matter.

Mechanism for ongoing consultation

15. The parties agreed that in the interest of peace in the Côte d'Ivoire there would be a rapprochement of the Ivorian political leaders. This action must continue after the Pretoria meeting. The parties also acknowledged that given the gravity and persistence of the crisis in Cote d'Ivoire, the need for national reconciliation will continue beyond the elections.

Interpretation of the agreement

16. Should there be a difference in interpretation of any part of this agreement, the signatory parties of this agreement agree that they will consult the Mediator for a ruling.

Motion of thanks

17. The Ivorian parties signatories to the Pretoria Agreement express their profound gratitude to His Excellency Mr Thabo Mbeki, President of the Republic of South Africa, Mediator of the African Union, for his personal commitment in the resolution of the Ivorian crisis, the Government and the South African people for their devotion, warm reception and hospitality that contributed to the rapprochement of the Ivorian political leaders with a view to the consolidation of peace and the continuation of the national reconciliation process in the Côte d'Ivoire.

18. The mediator expressed his sincere appreciation of the commitment of the Ivorian leaders to a speedy resolution of the Ivorian crisis.

HE Laurent GBAGBO
President of the Republic
of Côte d'Ivoire

Mr Henri Konan BEDIE
for the PDCI

Mr Alassane Dramane OUATTARA
for the RDR

Mr Guillaume SORO
for the New Forces

HE Seydou Elimane DIARRA
Prime Minister
of the Government of National Reconciliation

HE Thabo MBEKI
President of the Republic
of South Africa
Mediator of the African Union

SIGNED IN PRETORIA ON THIS 6th day of APRIL 2005

Annex II to the letter dated 25 April 2005 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

[Original: English]

11 April 2005

As you are aware, and by agreement with all the Ivorian parties, the African Union Mediation on Côte d'Ivoire has been carrying out its work within the framework provided by the Linas-Marcoussis and Accra Agreements.

Chapter III of the annex to the Linas-Marcoussis Agreement deals with the issue of eligibility to the Presidency of the Republic. It contains a text approved by all the signatories to the Agreement, which would amend article 35 of the Constitution of Côte d'Ivoire.

The Ivorian parties and the Mediation are therefore duty bound to ensure that the intention of the text agreed at Linas-Marcoussis is realized, which essentially seeks to respect the principle of inclusivity with regard to the important issue of eligibility to the Presidency.

As on previous occasions since the Linas-Marcoussis Agreement was concluded, during our meeting from 3 to 6 April in South Africa it proved difficult for the Ivorian parties to reach agreement about the steps that should be taken to give effect to the Linas-Marcoussis Agreement concerning article 35.

For this reason, given the urgent necessity to resolve this matter, as well as the need to honour the commitment made by the signatories of the Linas-Marcoussis Agreement, it has been agreed that the African Union Mediator should make a determination on this matter, and act expeditiously to finalize it.

The specific agreement in this regard is contained in paragraph 14 of the Pretoria Agreement on the Peace Process in Côte d'Ivoire of 6 April 2005.

As indicated in that paragraph, I have consulted both the Chairperson of the African Union, President Olusegun Obasanjo, and the Secretary-General of the United Nations, Kofi Annan.

They both support the decision reflected in paragraph 14 and agree that, to solve the crisis in Côte d'Ivoire, it is vitally important to respect the substance of the article 35 constitutional amendment contained in the Linas-Marcoussis Agreement.

They also agree that it is necessary to resolve this matter expeditiously, to enable the peace process to advance speedily and allow for the holding of the presidential elections in October 2005.

Consistent with the approach imminent in the Linas-Marcoussis and Accra Agreements, the Mediator is fully conscious of the need to respect the Constitution of Côte d'Ivoire, bearing in mind the adaptations that have to be made to provide for the implementation of the Linas-Marcoussis and Accra Agreements.

In this regard, the Mediator is fully aware of the requirements concerning constitutional amendments affecting the Presidency, as contained in article 126 of the Constitution of Côte d'Ivoire.

However, the Mediator believes that it is critically important that due consideration should be taken of the prescription contained in article 127 of the same Constitution, which prohibits any action that might undermine the integrity of the territory of Côte d'Ivoire.

It is a matter of common cause that currently Côte d'Ivoire is divided into two parts that are under the control of different administrations, which undeniably undermines the integrity of the territory.

With reference to article 48 of the Constitution of Côte d'Ivoire, it is obvious that the integrity of the territory of Côte d'Ivoire is threatened in a serious and immediate manner, and the regular functioning of the constitutional authorities has been interrupted.

As Mediator, and having listened carefully to all the presentations made by the leaders of Côte d'Ivoire, I had to take into account all the constitutional and other matters mentioned above as I considered my determination with regard to article 35.

In terms of the mandate given to the Mediator in paragraph 14 of the Pretoria Agreement, I, as Mediator, hereby determine that with reference to the 2005 presidential elections, the Constitutional Council should accept the eligibility of the candidates who might be presented by the political parties that signed the Linas-Marcoussis Agreement.

However, it is also important that we should respect the rule of law as we give effect to this determination. In this regard, we should not oblige the Constitutional Council to act in an illegal manner. The authorities of Côte d'Ivoire will therefore have to take the necessary steps to give legal force to the Mediator's determination regarding article 35.

The Mediator therefore requests President Laurent Gbagbo to use the powers granted to the President in terms of the Constitution of Côte d'Ivoire, in particular article 48, to give the necessary legal force to the determination stated above.

Article 48 refers to the execution by Côte d'Ivoire of its international commitments, territorial integrity and the regular functioning of the constitutional authorities, all of which bear on the current situation in Côte d'Ivoire.

These provisions, applied to the current situation in Côte d'Ivoire, provide the constitutional basis for the President of the Republic to take the necessary exceptional measures to give legal force to the Mediator's determination on article 35, after the required consultation with the Presidents of the National Assembly and the Constitutional Council.

The Constitution is the basic law in any country. The Mediator is firmly of the view that the central task facing the Ivorian people is the resolution of the serious emergency that has torn the people and the country apart, led to the death and displacement of many people, as well as the worsening social and economic crisis.

Taking this into account, the Mediator believes that the immediate and urgent challenge confronting the people of Côte d'Ivoire is the achievement of normality and stability through the reunification of the country, the restoration of State administration in all parts of the country, and the holding of free and fair presidential and legislative elections.

It is only after all these objectives have been achieved that consideration should be given to effecting such amendments to the Constitution of Côte d'Ivoire as may be thought necessary. Only in this way would it be possible to ensure that the constitution-making process helps to consolidate peace, stability, democracy and national unity.

I request that the necessary measures should be taken as soon as possible to give legal force to the determination I have made, implementing the decision of the leaders of Côte d'Ivoire, as reflected in paragraph 14 of the Pretoria Agreement.

(*Signed*) Thabo **Mbeki**

cc H.E. President Alpha Omar Konare,
Chairperson of the AU Commission,
AU Headquarters,
Addis Ababa

United Nations A/59/792-S/2005/271

General Assembly
Security Council

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General Assembly
Fifty-ninth session
Agenda items 36 and 148

Security Council
Sixtieth year

The situation in the Middle East

Measures to eliminate international terrorism

Identical letters dated 25 April 2005 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing to you in order to respond to the tendentious allegations and misleading information contained in the letter addressed to you by the Permanent Representative of Israel to the United Nations (document A/59/781-S/2005/250).

As mentioned in our earlier letters, the most recent of which, dated 7 March 2005, was circulated as document A/59/726-S/2005/143, Israel constantly resorts to inflating ephemeral incidents and depicting hypotheses that are borne out neither by logic nor by the facts.

The Syrian Arab Republic wishes to emphasize that the infiltration referred to in the Israeli letter was an isolated, individual incident devoid of further dimensions. Indeed, it is Syria that has respected international law and its commitments under the Disengagement Agreement signed in 1974, whereas Israel, which has occupied the Syrian Golan since 1967, has continued to practise State terrorism and committed numerous violations of the Disengagement Agreement. The most recent of these were its air strike against the Syrian village of Ain al-Sahib on 5 October 2003 and its deliberate killing of a Syrian soldier and wounding and kidnapping of another on 8 January 2003.

The occupied Syrian Golan is part of Syrian territory and a natural geographic extension of the Syrian motherland, and on both sides of it there live Syrian Arab nationals belonging to the same families. That being the situation, it is unavoidable that such incidents should occur. Similar incidents have occurred in the past, whereupon the Israeli authorities have turned over the nationals in question to the Syrian authorities. The latest incident, involving a Palestinian national, is a passing occurrence, especially in view of the fact that he was carrying an ordinary hunting rifle which could not be used to commit the act alleged in the Israeli letter.

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As for the allegation contained in that letter regarding the efforts being engaged in by Israel to renew the peace process, nothing could be further from the truth. Such claims are in conflict with the statements openly made by Israeli officials, in which they reject the resumption of the peace process and reaffirm their desire for continued control of the occupied Arab territories.

The Syrian Arab Republic renews its appeal to the international community to pay attention to Israeli colonialist and expansionist policies and the need to call a halt to those policies, which pose a threat to regional and world peace. Syria also reiterates its firm desire and strong will towards achieving a just and comprehensive peace in the region, founded on the United Nations resolutions, the terms of reference of the Madrid Peace Conference and the Arab peace initiative adopted at the Beirut Summit in 2002.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda items 36 and 148, and of the Security Council.

(*Signed*) Fayssal **Mekdad**
Ambassador
Permanent Representative

United Nations S/2005/272

Security Council

Distr.: General
26 April 2005

Original: English

First semi-annual report of the Secretary-General to the Security Council on the implementation of resolution 1559 (2004)

I. Introduction

1. The present report details progress made in the implementation of Security Council resolution 1559 (2004) since my report to the Security Council of 1 October 2004 (S/2004/777). It is submitted pursuant to the request of the Council, expressed in the presidential statement of 19 October 2004 (S/PRST/2004/36), that I continue to report on the implementation of the resolution to the Council every six months.

2. In its resolution 1559 (2004) of 2 September 2004, the Security Council, reiterating its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized borders, called upon all parties concerned to cooperate fully and urgently with the Council for the full implementation of that and all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon. In addition, the Council:

(a) Called upon all remaining foreign forces to withdraw from Lebanon;

(b) Called for the disbanding and disarmament of all Lebanese and non-Lebanese militias;

(c) Supported the extension of the control of the Government of Lebanon over all Lebanese territory;

(d) Declared its support for a free and fair electoral process in Lebanon's then upcoming presidential election, conducted according to Lebanese constitutional rules devised without foreign interference or influence.

The Council also reaffirmed its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout Lebanon.

3. In my report to the Council of 1 October 2004 I concluded that the requirements set out in the resolution had not been met. Pursuant to the Council's request of 19 October 2004, I herewith present my report on the implementation of resolution 1559 (2004) since 1 October 2004.

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II. Background

4. In my previous report, I set out in brief the relevant political history of Lebanon, the tragic civil war that raged in the country between 1975 and 1990 and the steps taken since to overcome the divisions in Lebanese society and leave behind the vestiges of the past.

5. In the six months since I submitted the report, the situation in Lebanon has become increasingly tense and has, in particular since the beginning of this year, deteriorated significantly.

6. Following the extension of Lebanese President Emile Lahoud's term by the Lebanese Parliament on 3 September 2004 and an assassination attempt against former Minister Marwan Hamadeh that left one person dead and two, including Mr. Hamadeh, injured, Lebanese Prime Minister Rafik Hariri resigned on 20 October 2004. Mr. Hariri was replaced by Omar Karami, who formed a new Government on 26 October 2004. Mr. Karami's Government was widely perceived as favourably disposed towards a Syrian presence and influence in Lebanon. A standoff ensued between those loyal to Damascus, supporting Mr. Karami's Government, and those broadly opposed to what they saw as excessive Syrian influence and presence in Lebanon.

7. On 14 February 2005, former Prime Minister Hariri and 20 others were killed in a callous terrorist attack in central Beirut. Pursuant to a request by the Security Council (see S/PRST/2005/4), I dispatched to Lebanon a mission of inquiry into the causes, circumstances, and consequences of the killing of Mr. Hariri under the leadership of Irish Deputy Police Commissioner Peter FitzGerald, and forwarded its report to the Council on 24 March 2005 (S/2005/203). That report stated that the assassination seemed to have unlocked the gates of political upheaval and that it had further polarized the political scene to a threatening level. The report's main finding was taken up by the Council in its resolution 1595 (2005), in which it decided to establish an international independent investigative commission to assist the Lebanese authorities in investigating all aspects of this terrorist act, including to help identify its perpetrators sponsors, organizers and accomplices.

8. On 28 February 2005, Prime Minister Karami resigned during a parliamentary debate on the assassination of Mr. Hariri. Ten days later, on 10 March, President Lahoud asked Mr. Karami to form a new Government. Mr. Karami conditioned the formation of such a new Government on it being joined by the opposition in a national unity Government. The opposition voiced a number of demands: an independent international investigation into the assassination of Mr. Hariri; resignation of the heads of Lebanese security agencies, which the opposition held responsible for the assassination; a complete withdrawal of Syrian forces deployed in Lebanon; formation of a neutral Government overseeing the Lebanese parliamentary elections; and conduct of those elections without delay — prior to the end of May 2005. Mr. Karami's efforts to form a new Government continued, and the Prime Minister was widely expected to present a cabinet on 10 April. Unable to do so, Mr. Karami resigned again on 13 April. Two days later, on 15 April, President Lahoud tasked Najib Mikati with forming a new Government, after 57 members of the Parliament had nominated him, compared to 38 who had expressed their preference for Defence Minister Abdel Rahim Mrad. Mr. Mikati had received the support of the opposition bloc in the nomination. Mr. Mikati presented his new 14-

member Government on 19 April. On 22 April, the new Prime Minister declared that elections would be held on 29 May. On 25 April, General Jamil Sayyid, head of the General Security Department, resigned. Earlier, he and General Ali Hajj, head of the Internal Security Forces, had put themselves at the disposal of the Prime Minister's office.

9. The Lebanese people began expressing their political views publicly in frequent demonstrations, most of which took place in the central districts of Beirut. After a number of protests staged by the opposition, a large rally in support of the Syrian Arab Republic and its presence, organized principally by Hizbollah, took place in Beirut on 8 March. On 14 March, an even larger demonstration staged by the opposition was held in Beirut. The increasing instability prevailing in the Lebanese political arena was also reflected in a spate of bomb attacks, apparently directed against Christian targets in and near Beirut. On 19 March, a car bomb exploded in Beirut, leaving six people injured. On 22 March, a bomb was detonated in a commercial complex in Jounieh, killing three people and wounding seven. On 26 March, a third such bombing left two people dead and eight injured. On 1 April, a fourth bomb attack left at least seven people injured. In repeated statements, I called upon the Government of Lebanon to bring to justice those responsible and to prevent the situation from deteriorating and urged all concerned parties to do their utmost to safeguard Lebanon's stability and national unity. I also expressed my belief that this latest violence had to stop and that the Lebanese people should be allowed to decide the future of their country free from violence and intimidation. Around the time of the thirtieth anniversary of the eruption of the Lebanese civil war, on 13 April, a number of public events took place with participation of large segments of Lebanese society to reaffirm the national unity of Lebanon.

III. Implementation of resolution 1559 (2004)

10. Since my report to the Council of 1 October 2004, the parties concerned have made noticeable and significant progress towards implementing some of the provisions contained in resolution 1559 (2004). Regarding the implementation of other provisions of the resolution, the parties have made no progress to date.

A. Withdrawal of foreign forces deployed in Lebanon

11. In resolution 1559 (2004), the Security Council called upon on all remaining foreign forces to withdraw from Lebanon.

12. In my report to the Council of 1 October 2004, I stated that we had ascertained that the only significant foreign forces deployed in Lebanon as at 30 September 2004 were Syrian. Israeli troops, which had remained in Lebanese territory for a significant period following the civil war, had withdrawn its forces from all Lebanese territory in May 2000 in accordance with resolutions 425 (1978) and 426 (1978), as I reported to the Council on 16 June 2000 (S/2000/590 and Corr.1) and as the Council subsequently confirmed in its endorsement of my report and its conclusions on 18 June 2000 (S/PRST/2000/21). In my report of 1 October 2004, I also stated that, according to the Syrian Government, there were a total of about 14,000 Syrian troops in Lebanon, including non-uniformed military intelligence officials.

13. On 5 March 2005, Syrian President Bashar Al-Assad pledged in a speech before Parliament that the Syrian Arab Republic was going to withdraw its forces in Lebanon completely to the Bekaa Valley, and then to the Lebanese-Syrian borders.

14. President Assad confirmed this intention on 12 March in Aleppo, when he committed to withdraw all Syrian troops and intelligence personnel from Lebanon in fulfilment of resolution 1559 (2004). President Assad also expressed his unequivocal commitment to the full implementation of the resolution and reiterated his intentions and his commitment to me during a meeting in Algiers on 21 March and in a number of telephone conversations. The President stated to me that the full and complete withdrawal of Syrian troops and the intelligence apparatus would be carried out in two stages: the first stage would be the relocation of all military forces and the intelligence apparatus into the Bekaa Valley by the end of March 2005. A significant number of those troops, including intelligence personnel — representing about one third of all Syrian troops in Lebanon, according to Syrian authorities — would withdraw fully from Lebanon into the Syrian Arab Republic during this stage. A second stage of withdrawal would lead to a complete and full withdrawal of all Syrian military personnel and assets and the intelligence apparatus. Following a meeting between Syrian President Assad and Lebanese President Lahoud and the endorsement of the two-phased withdrawal plan by the Syrian-Lebanese Joint Military Committee on 7 March, the first stage of the Syrian withdrawal began on 8 March.

15. In reiterating the commitments made to me, President Assad, Foreign Minister Farouk Al-Shara' and Vice-Foreign Minister Walid Muallem assured the United Nations on 3 April 2005 that the second stage of the complete and full withdrawal of all Syrian troops and assets and the intelligence apparatus would be completed by 30 April at the latest. This commitment implied that all Syrian security forces and equipment would be withdrawn from Lebanon in fulfilment of the requirement of resolution 1559 (2004) as regards the withdrawal of Syrian security forces from Lebanon. The Syrian-Lebanese Joint Military Committee met on 4 April and endorsed the second stage of the full and complete Syrian withdrawal from Lebanon, which began on 7 April.

16. During the meetings of 3 April, the Government of the Syrian Arab Republic also informed me that it had, as a first step and in line with its earlier commitment, redeployed all its troops in Lebanon to the Bekaa Valley. It also declared that it had already withdrawn 4,000 troops into the Syrian Arab Republic and that it had closed Syrian intelligence offices in Beirut.

17. On 26 April, the Government of the Syrian Arab Republic submitted to me a letter (see annex) stating that it had completed its full withdrawal of Syrian troops, military assets and the intelligence apparatus from Lebanon, in fulfilment of its commitments to me and in fulfilment of the requirement of resolution 1559 (2004). As at that date, I had not been able to verify full Syrian withdrawal or to certify the implementation of the provision of the resolution that calls upon all remaining foreign forces to withdraw from Lebanon. However, I have, with the agreement of the Governments of Lebanon and the Syrian Arab Republic, dispatched a United Nations mission to verify whether there has been a full and complete withdrawal of all Syrian troops and military assets and the intelligence apparatus from Lebanon. This mission, carried out by a technical team composed of military experts, was to take up its work in the week beginning on 25 April. It will complete its work and

report to me as soon as possible. I have requested the two Governments to extend their full cooperation to this mission and to provide it with all relevant information and documentation available concerning the former deployment of all Syrian troops and military assets and the intelligence apparatus in Lebanon.

18. Representatives of the Government of Lebanon have assured me that as Syrian forces have progressively withdrawn, the Lebanese armed forces have gradually assumed responsibility for the vacated areas. The Governments of both Lebanon and the Syrian Arab Republic had earlier indicated to me that they had concerns for the stability of Lebanon in the aftermath of a full Syrian withdrawal. Lebanese officials, however, have also assured me that the Lebanese armed forces had the necessary capacity to guarantee security and stability.

B. Sovereignty, territorial integrity, unity and political independence of Lebanon

19. In resolution 1559 (2004), the Security Council reaffirmed its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon, under the sole and exclusive authority of the Government of Lebanon, throughout the country. It also called upon all parties concerned to cooperate fully and urgently with the Council for the full implementation of that and all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon.

20. In my report to the Council of 1 October 2004, I described widespread allegations in Lebanon that the Syrian military presence, including a substantial component of non-uniformed intelligence officials, afforded the Syrian Arab Republic considerable leverage over Lebanese domestic affairs.

21. I have assigned the matter of the sovereignty, territorial integrity, unity and political independence of Lebanon the highest priority in my efforts over the past six months. I have met with Presidents Assad and Lahoud and have stayed in direct contact with other senior representatives of the two countries and other parties concerned. I have done so out of concern over the increasing domestic political polarization in Lebanon and the deteriorating security situation. I have also taken into consideration the impact of the withdrawal of Syrian military forces, including the intelligence apparatus, on the restoration of the sovereignty, unity and political independence of Lebanon. Furthermore, I have deemed it important to assign a high priority to this element of resolution 1559 (2004) because of the parliamentary elections scheduled to be held in May 2005. Free and credible elections according to constitutional rules devised without foreign interference or influence are a central indication of the sovereignty, unity and political independence of any democracy. Finally, the resolution places great emphasis on this matter by explicitly incorporating all relevant Security Council resolutions related to the sovereignty, territorial integrity, unity and political independence of Lebanon and by underlining the importance of free and fair elections according to Lebanese constitutional rules devised without foreign interference or influence.

Syrian intelligence apparatus in Lebanon

22. The involvement of the Syrian Arab Republic in Lebanon, which began with the deployment of Syrian troops in the country in May 1976, has been characterized

by many observers as going beyond the reasonable exercise of cooperative or neighbourly relations. The recent report to the Security Council of the mission of inquiry into the assassination of former Prime Minister Hariri (S/2005/203), which also made that characterization, further discusses aspects of the relations between the two countries regarding governance in Lebanon.

23. In this context, it is of particular significance to note the commitment made to me by the Government of the Syrian Arab Republic on 3 April to withdraw all its troops and military assets and the intelligence apparatus from Lebanon by 30 April and the letter the Government of the Syrian Arab Republic submitted to me on 26 April stating that it had completed its full and complete withdrawal (see annex). The Government also declared on 3 April that it had closed Syrian intelligence centres in Beirut.

24. The United Nations inspected the site of the Syrian intelligence headquarters in Beirut, near the Hotel Beau Rivage, on 5 April. In addition, a preliminary probe undertaken by the United Nations to verify the withdrawal of Syrian forces under the first stage of the withdrawal plan between 8 and 10 April found that the Syrian intelligence apparatus had vacated some sites previously occupied in locations throughout the country.[1] The preliminary probe also confirmed that there was ongoing movement to withdraw Syrian troops from the Bekaa Valley into the Syrian Arab Republic in implementation of the second stage of the full and complete withdrawal from Lebanon.

25. Some Member States, as well as members of the Lebanese opposition, have asserted to me that Syrian military intelligence has taken up new positions in the south of Beirut and elsewhere and has been using headquarters of parties affiliated with the Government of the Syrian Arab Republic as well as privately rented apartments for their purposes. The Governments of Lebanon and the Syrian Arab Republic have assured me that this is not the case. Representatives of the Government of Lebanon and other parties have also asserted that difficulties in completing a full withdrawal of all persons associated with the Syrian intelligence apparatus in Lebanon might arise owing to the family ties that Syrian officials have established in Lebanon over the past 30 years and to the existence of a network of informers among Lebanese citizens.

26. It will be the task of the United Nations mission I have dispatched to verify that all Syrian troops and military assets and the intelligence apparatus have been withdrawn from Lebanon.

[1] The preliminary verification mission visited sites where Syrian troops had formerly been deployed in the following locations: in the Mount Lebanon area, Dhahr al-Wahsh, Aley, Dhahr al-Abadiyeh, Bhamdoun, and Mdeirej; in the north of Lebanon, Madfun, Hammat/Chekka, Tripoli (several sites), Deir Ammar, Amarein, Qlai'at and al-Arida; in the Metn area, Duwar, Ayroun, Dhour Choueir, Bologna, Mrouj and Majdal Tarchich and Tarchich; in the Bekaa Valley, near Sifri village, around Ba'albeck (several sites), Douriss, between Ba'albeck and Deir Ahmar, near Rayak, near Talia village, Maksé and Qabb Elias.

Establishment of mutual diplomatic representation

27. In my report to the Council of 1 October 2004, I stated that it had been noted that Lebanon and the Syrian Arab Republic did not maintain diplomatic representation in one another's capitals. Former members of the Government of Lebanon have pointed out that a Lebanese representative office had been established in Damascus in 1970 as a first step towards the establishment of formal ties between the two countries. This office allegedly functioned into the 1980s. A Syrian representative office slated to be opened in Beirut was never established.

28. I have discussed this issue with the Governments of the two countries, both of which have stated that this was a bilateral issue. They have assured me, however, that in the wake of the full and complete withdrawal of Syrian forces, they aspired to a formalization of relations between the two countries.

Lebanese parliamentary elections

29. In the preamble of resolution 1559 (2004), the Security Council underlined the importance of free and fair elections according to Lebanese constitutional rules devised without foreign interference or influence. As I have outlined above, elections are also a means of reaffirming the full sovereignty, territorial integrity, unity and political independence in any democracy.

30. The term of Lebanon's Parliament expires at the end of May 2005. Consequently, parliamentary elections were scheduled to take place in Lebanon before that date. In the current context, the holding of free and credible elections according to Lebanese constitutional rules devised without foreign interference or influence has taken on an even greater degree of importance and priority.

31. In preparation for the parliamentary elections, the Government of Lebanon under Prime Minister Karami approved a revised electoral law on 27 January 2005, which envisaged electoral constituencies based on administrative districts (*Qadaa*) and appeared to represent a compromise acceptable to both the Government and the opposition.[2] The parliamentary vote on the draft law, scheduled for 28 February 2005, did not take place, however, as the Parliament instead urgently decided to debate the repercussions of the recent assassination of former Prime Minister Hariri.

32. In the context of the resignation of the Government of Lebanon during that session and the prolonged inability of Mr. Karami to form a new cabinet, time was running increasingly short to organize and administer the elections before the current term of the Lebanese Parliament expired. Prior to Mr. Karami's renewed resignation on 13 April, the so-called Ain al-Tineh Gathering had repeatedly alluded to its intention to withdraw the Government's draft electoral law approved by Mr. Karami's first cabinet on 27 January 2005 and to submit a revised electoral law envisaging adoption of the principle of proportional representation and the drawing of electoral constituencies on the basis of the Lebanese governorates (*Muhafiza*).

[2] A revised electoral law had become necessary as Lebanon's last parliamentary elections were conducted in accordance with an exceptional electoral law applicable only for the 2000 elections. Since 1996, a new electoral law has been adopted for each election. The number of constituencies in the elections has varied from 12 in 1992 to 10 in 1996 to 14 in 2000.

33. Prime Minister Mikati has stated that his Government was to be a "symbol of moderation and national unity" and that it would have three primary goals: to prepare for the forthcoming parliamentary elections, to cooperate with the international independent investigation commission established pursuant to Security Council resolution 1595 (2005) and to address the economic situation and build confidence in Lebanon and among its neighbours about the state of the country. As at 26 April 2005, Lebanon did not yet have a law for the parliamentary elections. The new Prime Minister has pledged to organize and conduct the elections on time, that is, prior to the end of May 2005, and presented a new Government tasked with doing so on 19 April.

34. Both the Lebanese Government and the opposition have stated to me that their highest priority was the holding of free and credible elections. Such elections should be held on schedule and in accordance with an electoral law that is broadly accepted by the Lebanese people.

35. In order to ensure that such elections, based on an electoral law commanding broad acceptance among diverse Lebanese political interests, can be conducted in a free and credible manner, and in response to statements by President Lahoud and Prime Minister Mikati, I have been discussing with the Government of Lebanon the possibility of extending United Nations technical assistance at its request. I have further encouraged the idea that international governmental and/or non-governmental electoral observers should be invited to monitor the elections and am awaiting a request to this effect from the Government of Lebanon.

Israeli overflights violating Lebanese territorial integrity

36. Since my report to the Council of 1 October 2004, Lebanese territorial integrity has regularly been violated by Israeli aircraft flying into Lebanese airspace. The Government of Israel maintains its claim that these overflights are carried out for security reasons. My representatives in the region and I have regularly reiterated our call upon Israel to cease such overflights.

C. Presidential election process in Lebanon

37. In resolution 1559 (2004), the Security Council declared its support for a free and fair electoral process in Lebanon's then upcoming presidential election, conducted according to Lebanese constitutional rules devised without foreign interference or influence.

38. In my report to the Council of 1 October 2004, I described the process whereby President Lahoud's term was extended by three years on 4 September 2004.

39. In the present report, I have discussed the related issue of the Lebanese parliamentary electoral process, scheduled for May 2005, in the context of the resolution's provisions on the strict respect for and restoration of Lebanon's sovereignty, territorial integrity, unity and political independence.

D. Extension of Lebanese government control over all Lebanese territory

40. In resolution 1559 (2004), the Security Council supported the extension of the control of the Government of Lebanon over all Lebanese territory. It also called upon all parties concerned to cooperate fully and urgently with the Council for the full implementation of that and all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon.

41. In my report to the Council of 1 October 2004, I stated that the Government of Lebanon had not extended its control over all of its territory.

42. Several incidents over the past six months have illustrated the fact that the Government of Lebanon does not fully exert control over all of its territory. However, the Government has stated to me that it is not constrained in extending its control over all Lebanese territory.

43. Along the Blue Line, there has been no noticeable change in the deployment of the Lebanese armed forces. Representatives of the Government of Lebanon have acknowledged that it has not yet deployed forces to the far south of the country. As I have stated, more needs to be done to meet the Security Council's call for extended measures to ensure the return of effective governmental authority throughout the south of Lebanon, including through the deployment of additional Lebanese armed forces. I have repeatedly urged the Government of Lebanon to do its utmost to ensure calm and to exert full control over the use of force across its entire territory.

44. Although the situation along the Blue Line has by and large been characterized by a tense calm over the past six months, there have been regular violations, at times causing deaths and injuries. On 9 January 2005, a Hizbollah roadside bomb attack against an Israeli military patrol vehicle killed one Israel Defense Forces soldier and wounded three others, and subsequent Israel Defense Forces tank and machine gun fire killed a French officer serving with Observer Group Lebanon and wounded a Swedish colleague. I issued a statement on this incident and the grave violations of the Blue Line that had occurred, condemning the military escalation along the Blue Line, urging both parties to exercise maximum restraint and reminding the Governments of Israel and Lebanon to ensure the safety of United Nations personnel deployed in the region. On 14 and 17 January, Hizbollah detonated explosive devices along the Blue Line, fortunately without causing any casualties. In response to those attacks, Israel carried out immediate air strikes against Hizbollah targets in southern Lebanon, reportedly injuring two Lebanese civilians. In another worrying development, on 7 November 2004, Hizbollah had launched an unmanned aerial vehicle from the Lebanese side of the Blue Line into Israeli airspace, which reportedly flew over Israeli territory before re-entering southern Lebanon and landing in the vicinity of Naqoura. Hizbollah launched a second such unmanned aerial vehicle on 11 April 2005, which crossed the Blue Line into Israeli airspace before returning to its base in southern Lebanon.

45. Palestinian armed elements based in Lebanon have likewise violated the Blue Line from the Lebanese side. On 28 October 2004, Palestinian armed elements based in Lebanon launched a rocket across the Blue Line into Israeli territory, which exploded in the vicinity of Shlomi. On 15 November, a Katyusha rocket was launched against Israel by hitherto unknown Palestinian elements. In the aftermath of the latter attack, the United Nations called upon Lebanon "to double its efforts in

order to ensure an immediate halt to serious violations" of the Blue Line. I was pleased to note that the Lebanese authorities spoke out against the incident and launched an investigation, but I reiterated my call upon the Government of Lebanon to extend its authority over all of its territory and to prevent such attacks.

46. Regarding the extension of Lebanese government control over all Lebanese territory vacated by Syrian forces, the Government of Lebanon has stated to me that the Lebanese armed forces were gradually assuming responsibility for the vacated areas. The Government has assured me that the Lebanese armed forces had the necessary capacity to guarantee security and stability in those areas from which Syrian troops were withdrawing. At the same time, the Government has expressed a number of concerns regarding the extension of its control in the Bekaa Valley, where the enforcement of law and order remains circumscribed by the operations of organized car theft, drug trade, tribal feuds and ongoing unrest among disadvantaged Shiite elements.

47. Some parties have expressed concern over the Government's recent decision to decrease the service period of conscripts to six months and to increase the extent of exemptions granted, reducing the number of Lebanese troops from a previous total of 65,000 to 45,000 by May 2005, consisting of 35,000 professional troops, 5,000 conscripts and 5,000 newly recruited professionals. The Government has stated to me that it was increasing defence expenditure in order to counterbalance the reduction in troop strength and that it was confident that an increasing professionalization of the Lebanese armed forces would similarly have positive effects.

E. Disbanding and disarmament of Lebanese and non-Lebanese militias

48. In resolution 1559 (2004), the Security Council called for the disbanding and disarmament of all Lebanese and non-Lebanese militias.

49. In my report to the Council of 1 October 2004, I stated that despite the successful efforts of the Government of Lebanon to significantly reduce the number of militias present in the country, several armed elements remained. I also reported that the most significant such group was Hizbollah.

50. Throughout the reporting period, the United Nations has conducted a dialogue with some relevant parties on the issue of the disbanding and disarmament of Lebanese and non-Lebanese militias, but has not yet reached operational conclusions on this matter. It is noteworthy that the 1989 Taif Agreement, like resolution 1559 (2004), called for the disbanding of all Lebanese and non-Lebanese militias and the delivery of their weapons to the Government of Lebanon.

51. As far as I have been able to ascertain, there has been no noticeable change in the status of Hizbollah since my report to the Council of 1 October 2004. The Government of Lebanon has maintained its position on Hizbollah, as outlined in that report, that Hizbollah is a resistance movement fighting to "liberate" the Shab'a farms area. However, this position is incompatible with Security Council resolutions. The Council has recognized the Blue Line as valid for purposes of confirming the withdrawal of Israeli forces from all Lebanese territory in fulfilment of resolution 425 (1978). The Government of Lebanon should heed the Council's

repeated calls for the parties to respect the Blue Line in its entirety and extend its sole and exclusive control and authority over all of its territory.

52. Activities by Hizbollah along the Blue Line over the past six months, as described in paragraph 44 above, have highlighted the need for the Government of Lebanon to extend control over all of its territory under its sole and exclusive authority. Hizbollah has maintained a visible presence, notably near the Blue Line, through a network of mobile checkpoints, fixed positions and patrols. Hizbollah has further established several new positions and observation points, some of them close to United Nations positions.

53. Hizbollah also operates as a political party with representation in Parliament. In the context of the current political situation in Lebanon, Hizbollah leaders have stated their continued commitment to the stability and national unity of Lebanon but have vowed to maintain their armed stance vis-à-vis Israel for the time being. I have also taken note, however, that senior Hizbollah representatives have begun considering the possible disarmament of their group.[3]

54. In addition to Hizbollah, as I stated in my report to the Council of 1 October 2004, there are armed Palestinian groups in Lebanon. There has been no noticeable change in the status of such groups since that time. The Government of Lebanon has maintained its position regarding such groups as outlined in that report.

55. The increasingly tense political situation in Lebanon has led to the establishment and operation of so-called armed vigilante groups. These are not formal militias, but could signify the beginning of a return to the days of a widespread existence of armed groups and militias in Lebanon. We have cautioned against this worrisome development and discussed it with representatives of the Government of Lebanon, who have stated that preventive action would be taken.

IV. Observations

56. As at 26 April 2005, the requirements of resolution 1559 (2004) had not yet been met. However, the parties concerned had made significant and noticeable progress towards implementing some of the provisions of the resolution. Of particular importance is the commitment to me by the Government of the Syrian Arab Republic to withdraw all its troops and military assets and the intelligence apparatus from Lebanon by 30 April 2005 and its letter to me of 26 April, stating that it had completed the full withdrawal of its troops and military assets and the intelligence apparatus (see annex). There has been no progress on the implementation of other provisions of the resolution.

57. Lebanon has reached a critical juncture in its post-civil war history. In my previous report to the Council, I expressed the sentiment that more than 14 years after the end of hostilities and almost 5 years after the Israeli withdrawal from Lebanon, it was time for all parties concerned to set aside the remaining vestiges of the past and to end, with finality, that sad chapter of Lebanese history.

[3] In an interview with *Le Monde*, published on 15 April 2005, Hizbollah Secretary-General Sheikh Nasrallah declared that the group was ready to discuss any topics with other Lebanese parties, including the issue of the weapons of the Islamic resistance.

58. The full and complete withdrawal of Syrian troops and military assets and the intelligence apparatus would represent a significant and important step towards this goal and towards ending the heavy-handed foreign interference that has characterized Lebanese politics for decades. In my conversations with President Assad, I reached agreement that a technical United Nations verification mission would be dispatched in order to verify the full Syrian withdrawal (see para. 17 above). I will forward to the Council my conclusions based on the report of this mission as an addendum to the present report for its consideration.

59. The full and complete withdrawal of Syrian troops and military assets and the intelligence apparatus from Lebanon in fulfilment of the commitments made to me by the Government of the Syrian Arab Republic and in full compliance with resolution 1559 (2004) will also require the Governments of Lebanon and the Syrian Arab Republic to redefine the special relationship that exists between them. In this regard, I expect that the two countries will make significant progress towards the establishment of mutual diplomatic representation and an appropriate formalization of their special relationship prior to my next report to the Security Council on the implementation of resolution 1559 (2004).

60. In my efforts over the past six months, I have assigned the withdrawal of foreign forces from Lebanon, specifically the pull-out of Syrian forces, and the matter of the sovereignty, territorial integrity, unity and political independence of Lebanon the highest priority. I have concentrated my efforts on the latter provision because of the increasing political polarization in Lebanon and the deteriorating security situation. I have also been concerned over the impact on the economy of the deteriorating security situation. Furthermore, I have been particularly concerned about the holding of parliamentary elections as a test of the sovereignty, unity and political independence of Lebanon.

61. It is highly unfortunate, in my view, that a six-week-long political stalemate in Lebanon raised the spectre of a delay of the parliamentary elections. Such a delay would contribute to further exacerbating the political divisions in Lebanon and threaten the security, stability and prosperity of the country. Both the Lebanese Government and the opposition have told me that their highest priority is the holding of free and fair elections. Such elections should be held on schedule and in accordance with an electoral law that is broadly accepted by the Lebanese people. In this context, I welcome Prime Minister Mikati's pledge to conduct the elections as scheduled.

62. In order to ensure that such elections can be conducted in a free and credible manner, I have been discussing with the Government of Lebanon the possibility of extending United Nations technical assistance at its request. I have further encouraged the idea that international governmental and/or non-governmental electoral observers be invited to monitor the elections and am awaiting a request to this effect from the Government of Lebanon.

63. I urge all parties concerned to comply with all requirements of resolution 1559 (2004) without delay and to fully implement that and all other resolutions related to the restoration of the territorial integrity, full sovereignty and political independence of Lebanon.

64. I continue to believe that the implementation of resolution 1559 (2004) should proceed in a way that would best ensure the stability and unity of Lebanon, the

Syrian Arab Republic, and the wider region. In this context, I also remain committed to the implementation of all Security Council resolutions and the ultimate achievement of a just, lasting and comprehensive peace in the Middle East.

65. I remain at the disposal of the Security Council and stand ready to continue to assist the parties in the full implementation of resolution 1559 (2004).

Annex

Identical letters dated 26 April 2005 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

The Permanent Representative of the Syrian Arab Republic to the United Nations presents his compliments to the Secretary-General of the United Nations and to the President of the Security Council for the month of April and, with reference to the implementation by the Syrian Arab Republic of Security Council resolution 1559 (2004), has the honour to convey a letter from Farouk Al-Shara', Minister for Foreign Affairs of the Syrian Arab Republic, acting on behalf of the Syrian Government, confirming the full withdrawal of the Syrian troops, security apparatus and assets from Lebanon to their positions in the Syrian Arab Republic on 26 April 2005.

I would like to request that the present letter and its enclosure be circulated as an official document of the Security Council.

(*Signed*) Fayssal **Mekdad**
Ambassador
Permanent Representative

Enclosure

[Original: Arabic]

26 April 2005

The Government of the Syrian Arab Republic would like to officially inform you that the Syrian Arab forces stationed in Lebanon at the request of Lebanon and under an Arab mandate have fully withdrawn all their military and security apparatus and assets to their positions in Syria on 26 April 2005, and as such have completed their successive withdrawals that started years ago.

In the present letter, the Government of the Syrian Arab Republic would also like to assure the Security Council that the implementation by its military and security forces of all the relevant provisions in Security Council resolution 1559 (2004) without delay was primarily dictated by Syria's unwavering commitment to the Charter of the United Nations and United Nations resolutions. This commitment is documented in the records of the United Nations and throughout the different stages of the crises and disputes that erupted in the Middle East region.

It is in this context that Syria feels that it is right and duty-bound in drawing the attention of the Security Council to the positive role it played in putting an end to the civil war in Lebanon, in preserving Lebanon's territorial integrity and in contributing with other fraternal Arab countries and friends to the realization of Lebanese national reconciliation amidst extremely complicated and perilous circumstances. Furthermore, Syria is also right in singling out one of its most significant achievements in Lebanon; that is, the valuable contribution it made of its own accord to building a national Lebanese army that became the pride of Lebanese of all stripes. Such achievements speak volumes about Syria's credibility and its sincere desire to see Lebanon as a sovereign and independent State.

The course that Syria chose to follow in complying with the resolutions of international legitimacy is an example that ought to be emulated. Syria feels that it is right to expect from the Council recognition of this event that is commensurate with its significance. Therefore, Syria urges the Council to make every effort and evince the same determination and seriousness in order to implement the remaining Security Council resolutions, namely, those relevant to the complete withdrawal of the Israeli forces from the occupied Syrian Golan, the Lebanese Shab'a farms and the occupied Palestinian territories to the line of 4 June 1967, in addition to guaranteeing the national rights of the Palestinian people. Syria stands ready as always to cooperate with these international efforts, and will implement its commitments so that these efforts are crowned with success.

(*Signed*) Farouk **Al-Shara'**
Minister for Foreign Affairs
Syrian Arab Republic

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Twenty-fifth report of the Secretary-General on the United Nations Mission in Sierra Leone

I. Introduction

1. By its resolution 1562 (2004) of 17 September 2004, the Security Council extended the mandate of the United Nations Mission in Sierra Leone (UNAMSIL) until 30 June 2005. In my twenty-fourth report on UNAMSIL, dated 10 December 2004 (S/2004/965), I indicated my intention to submit to the Security Council in April 2005 a report on the implementation of the benchmarks it had established by its resolution 1537 (2004) for the residual UNAMSIL presence, together with a further assessment of the security situation in the country and possible recommendations in this regard. An interdepartmental assessment mission led by the Department of Peacekeeping Operations visited Sierra Leone from 20 to 28 March to evaluate the benchmarks and collect the information needed to develop those recommendations. The findings of the assessment mission and my recommendations concerning the future of UNAMSIL and the continued United Nations presence in Sierra Leone following the withdrawal of UNAMSIL are provided in sections II, IX, X and XI of the present report. The report also provides an update on major developments in the peace consolidation process in Sierra Leone since my last report.

II. Assessment mission

2. The assessment mission comprised representatives of the Department of Political Affairs, the Office for the Coordination of Humanitarian Affairs, the Department of Economic and Social Affairs, the United Nations Development Programme (UNDP) and UNAMSIL. The team evaluated progress made in the benchmarks set by the Security Council, which include (a) strengthening the capacity of the Republic of Sierra Leone Armed Forces and Sierra Leone police to maintain security and stability effectively throughout the country; (b) consolidating State authority throughout Sierra Leone; and (c) consolidating the deployment of the United Nations Mission in Liberia (UNMIL) throughout that country.

3. The mission also evaluated the security situation in Sierra Leone, as well as other important aspects of the overall peace consolidation and national recovery process. The team met with a wide cross-section of Sierra Leonean and international stakeholders in the peace process. It also visited several parts of the country. The

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President, Ahmad Tejan Kabbah, and the Vice-President, Solomon Berewa, received the mission in separate meetings and provided their assessments of the overall situation in the country and in the subregion, as well as the views of the Government on the withdrawal of UNAMSIL and a possible post-UNAMSIL United Nations presence. The findings of the mission are described in subsections A and B below.

A. Status of the residual UNAMSIL presence

4. By the end of February, UNAMSIL had completed the transition to its residual presence in Sierra Leone, comprising 3,250 troops, 141 military observers and 80 civilian police personnel. (For the current troop strength, see the annex to the present report.) In order to carry out the mandated tasks outlined in Security Council resolution 1562 (2004), the force, which now comprises three infantry battalions and support units, is deployed as follows: a Nigerian battalion in Freetown, a Pakistani battalion in Kenema, and a Ghanaian battalion in Bo. Support units are located in Freetown.

B. Progress on benchmarks

5. The Government of Sierra Leone, with the support of UNAMSIL and other bilateral and multilateral partners, has made considerable progress in the implementation of the benchmarks. The situation in the country since my last report has been calm and stable. There have been no security incidents requiring UNAMSIL support for the Sierra Leone security forces since the Mission handed over primary responsibility for security in the country to the Government in September 2004. UNAMSIL has played a supporting role since it began to focus on assisting the security forces in conducting border security patrols, transportation and construction projects to improve barracks and other infrastructure, and running training courses for armed forces personnel, including courses in driving, logistics, vehicle maintenance, information technology and signals.

6. In several areas some major shortfalls remain, however, particularly with regard to the security sector. Much also remains to be done to further consolidate State administration throughout the country and fully restore Government control over diamond-mining activities, as described in paragraphs 7 to 25 below.

1. Strengthening the capacity of the Sierra Leone security sector

7. During their discussions with the assessment team, President Kabbah, Vice-President Berewa and concerned Government Ministers and heads of security agencies stated that the Government was determined to continue enhancing the capacity of the security sector to effectively maintain the external and internal security of the country.

8. The Republic of Sierra Leone Armed Forces, supported by the International Military Advisory and Training Team, led by the United Kingdom of Great Britain and Northern Ireland, have continued to build their operational capabilities. The Government, with the support of the Team, has continued a contingency programme aimed at increasing the capacity of the armed forces to deal effectively with threats to external security and to backstop the Sierra Leone police in maintaining law and order. That programme, launched in July 2003, includes the deployment of three

armed forces brigades to the provinces and border areas; and the continuation of the restructuring of the armed forces to reduce their troop strength from the present level of some 13,000 military personnel towards the planned goal of 10,500 by 2007. The establishment nationwide of security and intelligence committees, known as provincial and district security committees, which provide a framework for cooperation among the Sierra Leone police, armed forces and local authorities on security matters at the district and provincial levels, and the construction of barracks for troops in the provinces and border areas, under a programme called Operation Pebu, also constitute integral parts of the programme. The International Military Advisory and Training Team is expected to continue its operations in Sierra Leone at least until 2010.

9. President Kabbah and Vice-President Berewa, as well as senior officials of the Ministry of Defence, the armed forces, the International Military Advisory and Training Team and UNAMSIL informed the mission, however, that the programme to prepare the armed forces to effectively assume responsibility for the external security of the country was behind schedule. Furthermore, the operational effectiveness of the armed forces is particularly hampered by logistical shortfalls, including a serious lack of communications equipment and accommodation. Operation Pebu has slowed down and its concept has been changed so that priority has been accorded to the construction of barracks at two sites, Pujehun and Kailahun. It is anticipated that each of those sites will accommodate 600 personnel and will be completed by June 2006. Subsequently, construction on five additional sites would continue, to be completed by 2010. The assessment mission was informed of the forthcoming provision of communications equipment by the United Kingdom Government later this year, which would help to alleviate the shortfall.

10. I have been pleased to note that, following my letter of 25 August 2004 to potential donors, appealing for assistance to the Government of Sierra Leone regarding the provision of urgently needed equipment for the armed forces, a number of donations were made, and some pledges yet to be fulfilled. These include a donation by the Government of Switzerland of 260 assorted trucks. The Government of the Netherlands has announced its intention to provide €2 million for the purchase of vehicles. These generous gestures will certainly help to improve the armed forces transport fleet, which is currently largely inoperable. The construction of accommodation — some 400 single-room units with communal facilities — is expected to start soon at an armed forces training camp near Freetown, with assistance from the Government of India. Furthermore, the assessment team was informed of the proposed donation of three marine coastal patrol vessels by the United States and one by China. Serious shortfalls remain, however, which prompted me to send a further letter on 24 March 2005 appealing to potential donors to once more consider providing assistance for the Sierra Leone armed forces, specifically with regard to communications equipment and accommodation.

11. The Sierra Leone armed forces and police have continued to conduct joint patrols, which are now carried out without the operational support of UNAMSIL. A national security exercise on command and control at strategic and operational levels was successfully held in November 2004, involving President Kabbah and the National Security Council, as well as the senior echelons of the armed forces and police. A further exercise is planned for early May to focus on detailed operational

command, including the establishment of a joint police and armed forces operations centre.

12. Supported by UNDP, the UNAMSIL civilian police component and the training team of the Commonwealth Community Safety and Security Project, the Sierra Leone police have made notable improvements in performance in maintaining internal security. The current strength of the police force stands at some 8,200; it is expected to reach some 8,600 personnel by May.

13. The construction of classrooms and dormitories at the Police Training School in Hastings, near Freetown, funded by the United Kingdom Department for International Development (DFID) and UNDP, has been completed, allowing for an increase from 400 to 600 recruits per trainee group. However, the Government has not provided the requisite funding for training of the increased number of recruits. Given this shortfall, the benchmark of 9,500 trained police officers in the Sierra Leone police by the end of 2005 is not expected to be met. In addition, lack of accommodation in the provinces is seriously hampering further deployments of the police throughout the country.

14. UNAMSIL continues to ensure coordinated efforts towards strengthening and building the capacity of the Sierra Leone police through in-service specialist training and the development of training manuals. The in-service training programme was boosted by the construction and renovation of regional training centres in Bo, Kenema and Makeni, funded by UNDP. Since September 2003, 729 police officers have benefited from a programme for middle-management police staff. Furthermore, 109 field-coaching officers, who would take over mentoring activities following the withdrawal of UNAMSIL, and some 150 training instructors have been trained. Officers are also being trained for the Sierra Leone police Precious Minerals Unit. In-service training is provided for officers in several key policing areas.

15. Despite the logistical shortfalls referred to above, the ability of the Sierra Leone police to plan and conduct security operations is gradually improving. The police were able to contain the demonstrations staged by university students in Freetown from 25 February to 2 March, which led to some violent incidents in the city, as well as an earlier strike action led by the Sierra Leone Labour Congress, in both cases without backup assistance at the scene of incidents from UNAMSIL or support from the armed forces, although UNAMSIL did provide fuel to support the police operations. However, these incidents highlighted some serious shortcomings in the command and control structure of the police and in their liaison with the Office of National Security. These shortcomings are now being addressed by the Government.

16. The Office of National Security has continued to improve its effectiveness and intelligence-gathering capacity. Together with the National Security Council and its Coordinating Group, the Office of National Security meets regularly to address security issues. However, the effectiveness of the central security structures is hampered by resource limitations. The deployment of regional security coordinators has strengthened the management of the district and provincial security committees. Their ability to function effectively is however hampered by a lack of communications and transportation between the districts, provincial capitals and Freetown. In addition, some international interlocutors indicated to the assessment

mission that the enhancement of the capacity of the security sector was being hampered by lack of strategic financial management by the Government.

17. Strengthening the capacity of the Sierra Leonean security sector also needs to be assessed in the context of the fragile security situation in the wider Mano River basin subregion, comprising Côte d'Ivoire, Guinea, Liberia and Sierra Leone. There exists a risk of spillover effects should tensions increase in Liberia in connection with the elections to be held in October. Furthermore, setbacks in the peace process in Côte d'Ivoire or possible instability in Guinea, and the unresolved territorial issue between Guinea and Sierra Leone over the border village of Yenga in the eastern part of the country could pose potential security threats to Sierra Leone. It is generally recognized, nonetheless, that there are currently no major external threats to the security of Sierra Leone.

18. In meetings with the assessment mission, President Kabbah, Vice-President Berewa and concerned senior security officials stated that withdrawal of UNAMSIL at the end of June when its current mandate expires would be premature. In their view, it could be expected that by the end of 2005, the security sector would have effectively assumed primary responsibility for the security of the country, subject to the timely provision of much-needed assistance. Neither the President nor the Vice-President called for the continuation of UNAMSIL into 2006.

2. Consolidating State authority

19. The Government of Sierra Leone has continued to consolidate its authority throughout the country. The decentralization process, which provides a framework for the devolution of power and responsibilities between the central and local governments, has made further strides. With the support of the World Bank, United Nations agencies and UNAMSIL, the Ministry of Local Government and Community Development has been conducting training and capacity-building programmes for members of the local councils that were elected in May 2004. The councils are now functioning, but their capacity to deliver services to the population is seriously hampered by lack of qualified personnel, funding, logistics and infrastructure.

20. The judiciary is being gradually consolidated, albeit at a slow pace. The administration of justice in the customary courts at the chiefdom level has recently been boosted by the appointment of over 200 chairpersons of customary court nationwide. There is at least one magistrates' court in operation in each of the 12 administrative districts, although there are currently only five resident magistrates. As a temporary solution, Justices of the Peace have been appointed and deployed in each district. UNDP is working with the Government on a programme to improve remuneration levels for magistrates in order to increase recruitment. Government officials from the main ministries are operating in all 12 administrative districts and the increased presence of the police force in the provinces has considerably improved the Government's capacity to maintain law and order.

21. The weakness of the judiciary and in the administration of justice is an issue of great concern. While court houses and prison facilities have been built or renovated throughout the country, progress has been slow in addressing such problems as undue delays in the trial and adjudication of cases and the lack of judicial personnel. These problems are further exacerbated by the lack of codified opinions of the Supreme Court and statutory laws of the country. Although DFID has earmarked

some £25 million for a programme of reform of the justice sector, there has been slow progress in embarking upon a comprehensive approach to addressing the problems, including legal aid and traditional and alternative mechanisms for dispute resolution.

22. The Government has made considerable progress in increasing its control over the diamond-mining sector. A total of 2,300 diamond-mining licences were issued in 2004 compared to 800 in 2001. Furthermore, official exports of diamonds increased from $10 million in 2000 to $127 million in 2004, in large part because of the various measures taken by the Government to curb illicit mining, including implementation of the Kimberley Process Certification Scheme. A Kimberley Process review mission which visited Sierra Leone from 20 to 27 February observed significant progress in the implementation of the Scheme in Sierra Leone. The mission nevertheless expressed concern about the challenges that remain with regard to monitoring and enforcement capacity as well as regulation of the diamond sector.

23. The Government is taking further measures to implement the core minerals policy adopted in December 2004, which seeks to create an enabling legal, fiscal and institutional framework for the development of the country's mineral wealth and prevent the use of natural resources to finance conflict and other illegal activities. Further measures have been taken to implement the 1994 Minerals Act, including the imposition of stricter penalties for the illegal possession and smuggling of diamonds.

24. With the support of DFID, the World Bank, UNDP and UNAMSIL, a national cadastral system is being established, which would facilitate the settlement of disputes over mining rights and boundaries of territorial administrative units, as well as mining sites, and would contribute to creating an environment conducive to private investment in the diamond-mining sector. In addition, the High-level Steering Committee on Diamonds has continued to coordinate efforts aimed at improving the governance and development of the diamond sector. The Diamond Area Community Development Fund, which provides a proportion of funds from the 3 per cent export tax on diamonds to chiefdoms in which mining is carried out, is also supporting development in those areas.

25. Despite progress made, the diamond sector continues to face many serious challenges. According to surveys of mining sites conducted by UNAMSIL, more than 50 per cent of diamond mining still remains unlicensed and reportedly considerable illegal diamond smuggling continues. While the Government has deployed monitors in the major diamond-mining areas nationwide, their efficiency remains limited, owing to lack of transport and other logistical constraints, and corruption is reportedly also a problem. Further progress by the Government is needed, although it should be noted that ensuring effective control over diamond mining is a long-term process requiring the close involvement of local communities and sustained international support.

3. Consolidating the deployment of the United Nations Mission in Liberia

26. As at the end of April, UNMIL troop strength stood at 14,851 military personnel, including 192 military observers. The troops are deployed across Liberia, with sector headquarters at Monrovia, Gbarnga, Tubmanburg and Zwedru. UNMIL troops continue to provide security at border crossing points and to conduct air,

mobile and foot border patrols. They are also engaged in cordon-and-search operations and the collection and destruction of weapons. In addition, some 1,100 United Nations civilian police officers are currently deployed in various sites in the country, including four formed police units located in Monrovia, Buchanan and Gbarnga.

27. Security on the Liberian side of the border with Sierra Leone is provided by the Pakistani contingent based in Tubmanburg. A Pakistani infantry battalion is deployed in Lofa County, while a Namibian infantry battalion is deployed in Grand Cape Mount County. UNMIL and UNAMSIL units hold regular liaison meetings attended by representatives of the Sierra Leonean and Liberian authorities at the two main border crossing points at Gendema Bridge in the south and Buedu in the north and carry out other liaison activities. In addition, UNAMSIL and UNMIL coordinate routine aviation patrols. The Sierra Leonean authorities reported to the assessment mission that the deployment of UNMIL in the areas bordering Sierra Leone had resulted in a substantial reduction in illegal cross-border activities and improved border security. Sierra Leonean security sector representatives reported that this was allowing for a reduction in Sierra Leone armed forces deployment sites in areas in the Eastern Province, bordering Liberia.

III. Regional aspects

28. A Mano River Union summit was held at the Sierra Leone border town of Koindu on 20 February, at which leaders of Guinea, Liberia and Sierra Leone pledged to work closely together to promote regional peace and security and improve commercial and economic cooperation.

29. In a welcome development, on 24 March, the Governments of Sierra Leone and Liberia signed a memorandum of understanding concerning the mutual repatriation of ex-combatants. In April, 387 Liberian ex-combatants were repatriated to Liberia, thus completing the exercise.

30. Meanwhile, the importance of the Governments of Sierra Leone and Guinea urgently taking concrete steps to resolve the territorial issue of the Yenga border village was repeatedly stressed to the assessment mission. In an incident in the area on 26 March, a group of UNAMSIL military observers were detained for six hours by Guinean armed forces near Yenga before being released. On 2 September 2004, at a meeting in Conakry, the Presidents of the two countries issued a statement which reaffirmed that the village of Yenga belonged to Sierra Leone. However, concrete steps have yet to be taken to ensure that the agreement is abided by, including the withdrawal of Guinean troops from Sierra Leonean territory and the subsequent demarcation of the boundary. In addition, several of the assessment mission's interlocutors alleged that Guinean armed elements were engaged in agriculture in the area.

Inter-mission cooperation

31. UNAMSIL, UNMIL and the United Nations Operation in Côte d'Ivoire (UNOCI) have continued to enhance inter-mission cooperation. On 11 March, the heads of the three peacekeeping missions and the United Nations Office for West Africa met in Freetown to consider the situation on the Liberia-Côte d'Ivoire border,

joint operations between UNMIL and UNOCI, and the outcome of the Force Commanders' meeting held in Dakar on 23 February.

32. Furthermore, representatives of the United Nations country teams of the Mano River Union countries and Côte d'Ivoire held their first consultative meeting in Freetown on 15 and 16 February, with the aim of developing a coordinated approach towards addressing the key common challenges faced in the subregion. A programme of cooperation between the respective country teams to address the traffic in small arms, human trafficking and other issues was agreed upon.

IV. Humanitarian situation

33. The operation to support the repatriation of Sierra Leonean refugees launched in 2001 was concluded in December 2004. In a remarkable development, 271,991 Sierra Leonean refugees returned, of whom 190,515 came from Guinea, 79,915 from Liberia and 1,561 from other countries in the region. Of these, 179,497 Sierra Leonean refugees returned with the assistance of UNHCR while 92,494 returned spontaneously. An estimated 13,500 persons remained in countries of asylum following the conclusion of the operation, of whom 1,825 are in Guinea and 2,368 in Liberia. Some 500 unaccompanied children separated from their families remain in Guinea. In 2005, UNICEF, ICRC and UNHCR and the two concerned Governments will continue to trace families and provide foster care arrangements to enable these children to be repatriated. I congratulate all humanitarian organizations involved in this major achievement in assisting the return of refugees and internally displaced persons.

34. UNHCR will conclude its programme of reintegration activities in Sierra Leone in December 2005. From 2001 to 2004, 1,485 small reintegration support projects or community empowerment projects were completed at Kailahun, Kono, Kambia and Pujehun under a joint programme of UNHCR, UNDP and the World Bank. There are currently approximately 50,000 Liberian refugees living in eight camps in the eastern part of Sierra Leone. In 2005, the focus of UNHCR efforts will be on facilitating the repatriation of some 14,000 Liberian refugees who are expected to return.

35. Since mid-December 2004, the World Food Programme (WFP) has distributed some 871 tons of food commodities to 288,993 beneficiaries. Although Sierra Leone has rich agricultural resources, 10 years of civil war have severely reduced the country's food security. Production of paddy rice, the main staple crop, has increased by 20 per cent over the past two years but has reached only 50 per cent of the pre-war level. High prices for food items, high unemployment and generally low incomes have reduced access to food, particularly for the most vulnerable sectors of society, including women and children. Growth in agriculture and trade continues to be impeded by poor road networks. Coordinated and sustained humanitarian interventions such as the WFP food for work and food for agriculture programmes will continue to be required to support the rehabilitation of roads, bridges and other infrastructure vital to enhance food security. The UNDP transitional support teams are working with the Government to identify needs and priorities and ensure that relief activities are in line with the longer-term programmes of development actors.

36. In the education sector, enrolment levels increased from 659,503 in the 2001/02 academic year to 1,092,721 in 2003/04. Over 50 per cent of the primary

schools are now functioning, although often under very poor conditions. The rehabilitation of schools is therefore a key priority. UNICEF assists by providing temporary shelters and educational materials and supporting in-service teacher training. Moreover, the Complementary Rapid Education for Primary Schools programme, which enables over-age children to complete a shortened primary school programme, is in operation in several districts. UNICEF is working with the Ministry of Education and non-governmental organizations to develop community schools for the estimated 375,000 children who do not currently attend school, in addition to supporting other primary education initiatives.

37. Important needs have yet to be addressed in the health sector. The UNICEF health programme continues to support Government efforts by contributing to the revitalization of primary health care units and promoting the capacity-building of district health service institutions. Routine and supplementary immunization activities are also being implemented. The Mission continues to play a role in building local capacity to diagnose Lassa fever in Sierra Leone. In particular, UNAMSIL is working closely with the World Health Organization (WHO) to develop a diagnostic capacity in the subregion through the establishment of a medical laboratory attached to the Kenema general hospital, and its vital Lassa fever ward. The establishment of the laboratory would be a part of the larger WHO Mano River Union Lassa fever network, which is expected to eventually include laboratories in Sierra Leone, Guinea and Liberia. UNAMSIL hopes to make a significant contribution to the completion of the laboratory in Kenema later this year.

V. Economic recovery

38. The gross domestic product of Sierra Leone increased by 7.2 per cent in 2004 compared to 6.5 per cent in 2003. This continued economic growth was spurred by donor-funded imports, nationwide reconstruction and rehabilitation projects, broad recovery in the agricultural sector, and increased investment in the country. During 2004, however, inflation rose considerably because of high oil and rice prices, delays in aid disbursements, and inadequate fiscal adjustments.

39. Government finances and revenue collection improved significantly during the first half of 2004. However, the Government continues to rely on a high level of external financial support, and 50 per cent of the national budget is donor-funded. On 31 March, President Kabbah officially launched the refurbishment programme of the Sierra Rutile Limited Company in Moyamba district. The company is expected to commence full operations late in 2005, which should boost foreign exchange earnings and provide employment to some 900 workers. In order to attract investments and encourage private sector development, continued improvements need to be made to investment-supportive infrastructure, such as power and energy, roads and transportation, as well as information and communication technology. Sustained economic growth is likely to become increasingly challenging, as donor aid for post-conflict needs is being gradually phased out. Inward investment is sorely needed, and post-conflict emergency aid needs to be followed up by longer-term donor assistance and development. In addition, to ensure price stability, it will be necessary to further reduce the need for domestic financing of Government deficits through reduced recurrent spending and sound fiscal and monetary policies.

40. The sustained economic growth experienced during the immediate post-conflict recovery period must be appraised against the backdrop of the depth and severity of poverty in Sierra Leone. An integrated household survey conducted by the Office of Sierra Leone Statistics in 2003 and 2004 indicated that 70 per cent of the population in Sierra Leone continues to live on less than a dollar a day.

VI. Human rights

41. Progress has continued towards the building of national capacity in human rights protection, monitoring and reporting. Human rights committees, comprising local human rights and pro-democracy organizations as well as concerned individuals, have been established in 9 out of 12 districts. UNAMSIL has continued to train several local human rights and pro-democracy organizations, as well as the staff of some international non-governmental organizations, who in turn are training human rights monitors and activists throughout the country.

42. Many of the key human rights issues that led to or resulted from the Sierra Leone conflict still persist. While there are no longer egregious violations of human rights and international humanitarian law, a culture of respect for human rights and democratic values has not fully taken root. While training on human rights and other aspects of democracy and the rule of law for the law enforcement agencies has ensured a reduction in abuses and impunity, there are still instances of disregard for basic human rights especially in the provinces. To this end, UNAMSIL will continue all ongoing programmes aimed at the training of law enforcement officials.

VII. Transitional justice

43. The Truth and Reconciliation Commission has completed its mandate, and submitted its final report to President Kabbah in October 2004. The Cabinet Committee established by the Government to draft a White Paper in response to the report has completed its work with the assistance of the Office of the United Nations High Commissioner for Human Rights (OHCHR). The White Paper has not been released, however, and the Government has yet to establish a follow-up committee to monitor the implementation of the recommendations of the Commission. OHCHR has provided funds for the dissemination of the report and sensitization of the population on the Commission's findings and recommendations.

44. The trials at the Special Court for Sierra Leone continue. While the indicted former Chairman of the Armed Forces Revolutionary Council (AFRC), Johnny Paul Koroma, remains at large, the Special Court has taken steps with respect to the former President of Liberia, Charles Taylor. During 2003, the Registrar sent two requests to the Government of Nigeria seeking an agreement between the Special Court and the Government of Nigeria on the modalities for the arrest and transfer of persons wanted by the Special Court. In this regard, it is worth noting that the European Parliament unanimously adopted a resolution on 24 February, calling on the European Union and its member States to take immediate action to bring about the appearance of Charles Taylor before the Special Court.

45. Following the visit of the Management Committee of the Special Court to Freetown from 7 to 11 March, the Registrar held consultations with UNAMSIL and

the Deputy Registrar met with the assessment mission with a view to determining the security arrangements for the Special Court following the departure of UNAMSIL. On the basis of the discussions with Special Court officials, the following options were considered: the provision of (a) a United Nations company-size military unit or a United Nations formed police unit — either a stand-alone unit or a contingent provided by UNMIL; (b) a contingent provided by ECOWAS; and (c) security support by an international private security company.

46. The Special Court indicated to the assessment mission that a United Nations police or gendarmerie unit would be its preferred option, given the nature of the tasks, and that the United Nations police contingent would find natural interlocutors in the Sierra Leone police force, which provides security for the Court. It should be noted that the Special Court has the capacity to independently manage and administer the protection unit, but that it currently does not have the funds necessary to sustain such a unit. The Department of Peacekeeping Operations is consulting closely with the Office of Legal Affairs on all aspects of this important issue. I intend to provide recommendations to the Council on this matter in the near future.

VIII. Challenges ahead: ensuring a smooth transition from peacekeeping to capacity-building

47. Despite progress made in consolidating peace in Sierra Leone, the overall situation remains fragile. The relative stability prevailing in the country needs to be further enhanced through concrete steps aimed at addressing the root causes of the conflict and nurturing a culture of human rights through monitoring, reporting and building national capacity. Widespread poverty, illiteracy, discrimination against women, corruption, lack of accountability, and high levels of youth unemployment continue to cause serious concern. Good governance needs to be fostered under the rule of law and political dialogue encouraged so as to promote the ongoing democratic process and sustainable peace.

Continuation of political and electoral reform

48. The National Electoral Commission, with significant international support, successfully organized the local government elections in 2004. There has since been only limited progress on electoral reform, however. The issue of the appointment of a suitable replacement for the former Chairperson of the Electoral Commission, who resigned seven months ago has yet to be resolved by the Government. Furthermore, no agreement has been reached on the restructuring of the Commission to ensure its independence, or on the Government's financial commitment to sustain the new structure. Given the importance and complexity of the issues relating to the National Electoral Commission, it is imperative that a partnership urgently be formed between the Commission, the Government and donors to ensure that the electoral reform process is carried out without further delay and the Commission's capacity strengthened for the organization of the national elections in 2007.

49. Another area of concern is the potential for antagonism arising between the newly-elected district councils and the traditional and chieftaincy authorities, particularly over the control and sharing of financial resources, which can negatively affect progress towards effective decentralization. The district councils, which are vital to decentralized and participatory governance, should be adequately

supported, to help to ensure the effective delivery of services to the population. Furthermore, a clear distribution of responsibilities should be established between the district councils and the chieftaincy system. The issue of boundary disputes between several chieftaincies is also a potential source of tension that needs to be addressed. Currently, the effective functioning of the Parliament presents a major challenge, particularly in the performance of its legislative and oversight responsibilities.

Good governance

50. Many of the assessment mission's interlocutors indicated that growing public discontent over corruption in the management of State revenues was a serious problem which needed to be urgently addressed by the Government. The Anti-Corruption Commission, which was established five years ago by President Kabbah, has recently been strengthened with the addition of international and national staff. The mission was informed that two Commonwealth judges and special prosecutors are expected to be appointed in the near future to deal with serious corruption cases. A national corruption strategy was adopted in February and six Cabinet Ministers are currently being investigated for corruption. The Government needs to give full support to the Anti-Corruption Commission and take concrete steps to effectively combat corruption, since the widespread malcontent over this issue poses a potential threat to stability.

Youth and other social issues

51. Lasting peace cannot be achieved without addressing the significant political, economic and social marginalization and the youth in Sierra Leone. The Ministry of Youth and Sports has been working with UNAMSIL and the United Nations country team to address youth-related issues, particularly the problem of unemployment, and to implement the National Youth Policy designed towards that end. Sustained support should also be provided for employment-generation initiatives that target youth, including vulnerable groups such as girls, amputees and demobilized child soldiers. Particular attention should be paid to ensuring the rights, protection and well-being of children.

52. Women have played a critical role in ensuring a return to democratic governance in Sierra Leone. Continued support is vital for efforts to empower women, and for promoting their role as peacemakers, peacebuilders, and leaders in the governance and future development of Sierra Leone.

Justice sector reform

53. Justice sector reform has been delayed by a lack of funds, qualified personnel and infrastructure, which further exacerbates the problems of access to and the timely delivery of justice. The judiciary, both national courts as well as magistrates', local and chiefdom courts, will continue to be severely strained in the near future, but would benefit in the near term from both additional logistical assistance and support for community-based, including traditional, means of dispute resolution. The lack of access to justice is particularly egregious in the provincial areas, where poor working and living conditions discourage qualified judges from serving.

Security sector aspects

54. The security structure of Sierra Leone, including the Office of National Security and the provincial and district security committees, should be assisted further in building its capacity. In particular, support should be provided for establishing early warning systems for potential security problems. Furthermore, the capacities of civic actors, traditional leaders, and the elected district councils should be enhanced to facilitate the peaceful resolution of localized conflicts and disputes. The issue of most serious concern is the logistical shortfalls of the Sierra Leone police and the armed forces, particularly with regard to communications equipment and accommodation, which hamper further deployment of the police throughout the country and undermine the operational capability of the armed forces.

Public information strategy

55. UNAMSIL has continued to play a significant role in keeping the media and public informed about the activities of the Mission and the United Nations country team, government reforms and local council programmes. A major concern after the withdrawal of UNAMSIL would be a widening information gap, as currently there is no clear-cut Government public information policy. The Government should embark on a proactive programme to formulate a media policy after consultations with key stakeholders. The Government should also be encouraged to establish a network radio with nationwide coverage to take over after UNAMSIL withdraws. Steps should be taken to sustain the significant accomplishments of UNAMSIL Radio and of local initiatives like Talking Drums Radio.

Economic sustainment

56. Sierra Leone could benefit from sustained support for community-based economic initiatives, including in the context of ongoing recovery programmes. This should focus in particular on the provision of credit and other inputs for small businesses and cooperative enterprises, and on structural support for informal markets, so as to allow both income generation and economic empowerment. The implementation of the poverty reduction strategy paper recently finalized by the Government will be of particular importance. The paper will be presented, among other strategy and project documents, to the Consultative Group at its meeting in Paris on 6 and 7 June, which major Sierra Leone development partners and donors are expected to attend. In addition, a private-sector forum to boost investment may be held simultaneously with the meeting of the Consultative Group.

IX. Options for the period beyond June 2005

57. As indicated in my report to the Security Council of 5 September 2002 (S/2002/987), the ultimate goal of the UNAMSIL drawdown is to ensure a gradual, phased and deliberate transfer of responsibility for the security of Sierra Leone from the United Nations to the Government of Sierra Leone. The Government formally assumed primary responsibility for security throughout the country in September 2004, and since then has continued consolidating its capacity in this area.

58. The general view of the majority of Sierra Leonean and international stakeholders with whom the assessment team met was that, in the absence of external security threats, the greatest danger to peace and security in the country

may emanate from civil unrest resulting from lack of improvement in the economy and the general living standards of the majority of the population. Furthermore, it is expected that the security sector will effectively assume responsibility for the security of the country by December 2005, subject to the provision of needed assistance.

59. Against this background, the majority of national and international stakeholders emphasized the need for the continued deployment of the residual UNAMSIL presence until the end of 2005, after which its mandate should be terminated. This would provide time for the further strengthening of the Sierra Leonean security sector, while allowing for a smooth transition from peacekeeping to capacity-building in the post-UNAMSIL period. To this end, UNAMSIL and the United Nations country team are already implementing a jointly prepared transition plan, which provides a framework for the continued involvement of the international community in Sierra Leone following the withdrawal of UNAMSIL from the country, while it also emphasizes national ownership of the development process.

60. This option would also allow a number of residual tasks to be addressed, including the continuing provision of security to the Special Court during 2005 and putting in place arrangements to ensure continued security support to the Court after the Mission's departure from the country, support for the recruitment and training of the Sierra Leone police and armed forces and strengthening national capacity for the protection of human rights.

61. The continuation of UNAMSIL until the end of 2005 would also be important to reassure the population that the United Nations is not leaving Sierra Leone altogether, but will be adjusting its strategy in the light of new challenges. Furthermore, until the end of the UNAMSIL mandate, the major tasks identified under the transition plan, including those relating to support for the consolidation of State authority, restoration of Government control over diamond mining, monitoring and reporting on the human rights situation and others would be carried out jointly by UNAMSIL and the United Nations country team.

62. Clearly, there is a calculated risk involved in withdrawing the force before 31 December. However, such a risk could be mitigated by the commitment of the United Kingdom to maintaining the presence of the United Kingdom-led International Military Advisory and Training Team, which will continue its training of the Sierra Leone armed forces at least until 2010, and the possibility of using UNMIL in case of emergencies. I would therefore propose that a study be carried out into the logistical, political and legal implications of the cross-border commitment of UNMIL following the withdrawal of UNAMSIL, including the possibility of the provision of security to the Special Court, as referred to in paragraphs 45 and 46 above. The study would then be presented to the Security Council by July.

X. Considerations on a post-UNAMSIL United Nations presence

63. While stability has been successfully restored in Sierra Leone, serious challenges continue to be faced in building durable peace. Whereas the institutions of the State can now provide for basic security, considerable capacity-building is

needed to enhance the Government's capability to carry out its functions. Hence, after the termination of UNAMSIL, a strong United Nations system presence is likely to be needed in Sierra Leone to continue to build peace by enhancing political and economic governance and also the national capacity for conflict prevention.

64. Discussions are still taking place among United Nations partners, in particular the Department of Political Affairs and UNDP, on the mandate, structure and financing of this presence. A number of options are being considered, with a particular focus on ensuring that the United Nations system is able to develop and implement in a fully coordinated and integrated manner, and in close consultation with national stakeholders, a viable peacebuilding strategy for Sierra Leone. The follow-on presence should take into account the recommendations contained in my report of 21 March entitled "In larger freedom: towards development, security and human rights for all" with regard to sustained support for post-conflict peacebuilding. Clearly, Sierra Leone presents a unique and complex set of challenges, as well as opportunities to pilot a new approach to sustaining peace. I have requested that the consultations on this matter be concluded expeditiously in May, after which I would intend to revert to the Council with final recommendations.

XI. Drawdown of the residual UNAMSIL presence

65. A minimum of four months will be needed to withdraw the residual force from its bases in Kenema, Bo and Freetown, close the 10 United Nations military observer sites and repatriate personnel and equipment by sea and by air. Thus, all military units, including military observers, would depart from the mission area commencing around mid-August, and the departures would essentially be completed by 31 December. UNAMSIL, in consultation with United Nations Headquarters, will work out a plan for the further drawdown of the force. To achieve a smooth departure process while ensuring that limited operational capability is maintained, battalions will be declared non-operational sequentially and will subsequently be repatriated. The Nigerian battalion in Freetown will be the last battalion to depart. New security arrangements for the Special Court will need to be in place by early November 2005 to allow time for a smooth handover of responsibility and the departure of the Nigerian company which is currently providing security support at the Court.

XII. Mission support issues

66. It is planned that the Mission will have a six-month liquidation period. UNAMSIL is therefore preparing a draft liquidation plan and preliminary disposal plan which should be completed by 30 June. The Mission has also identified assets that would be useful for enhancing the capacity of the Government of Sierra Leone. The inventory value of the assets of the Mission as at 30 June 2004 amounted to some $71.9 million, 12 per cent of which are proposed for donation to the Government of Sierra Leone. It is planned that the remaining assets will be transferred to a follow-on United Nations presence in Sierra Leone or to other United Nations peacekeeping missions and offices, and be written off or disposed of commercially.

67. As UNAMSIL has been drawing down, international staff turnover has increased, owing to reassignments to new and expanding missions, which has resulted in a reduction of skilled staff in the Mission. UNAMSIL, in cooperation with United Nations Headquarters, is exploring various mechanisms to ensure retention or replacement of experienced staff in order to complete the mandate implementation tasks and ensure an orderly liquidation of the Mission by June 2006. At the same time, UNAMSIL and United Nations Headquarters are working closely together to provide for the timely and orderly redeployment of experienced staff to other missions, as required.

XIII. Observations and recommendations

68. The generally calm political and security situation in Sierra Leone has allowed for further progress to be made towards consolidating peace in the country. With the support of UNAMSIL and development partners, the Government of Sierra Leone has advanced towards accomplishing the benchmarks for stabilization in the country and for the withdrawal of the residual UNAMSIL presence. In particular, the Sierra Leone armed forces and police have both continued to build up their capacities to ensure effective responsibility for the security of the country. It has been encouraging to note that there have been no security incidents requiring UNAMSIL support since the Mission handed over primary responsibility for security throughout the country to the Government in September 2004.

69. Furthermore, progress has been made in the consolidation of State authority, since the local provincial and district councils have begun to function and the deployment of the police throughout the country has advanced. Revenues from diamond exports have continued to increase as the Government has increased its control over the diamond-mining sector. In addition, with regard to the benchmarks, UNMIL has now consolidated its deployment throughout Liberia, including in the areas bordering Sierra Leone. This, coupled with the continued deployment of UNAMSIL in the Eastern Province, has contributed to an improvement in security in the border areas of the country. It is the general view that currently Sierra Leone is not facing any significant external security threats.

70. The situation in Sierra Leone remains fragile, however, and much remains to be done to address the underlying causes of the conflict in the country, in order to attain durable stability and long-term national recovery. The strengthening of the security sector needs special, long-term attention. Despite assistance from donors, the Sierra Leone armed forces and police are still experiencing serious equipment shortfalls and full deployment of the police in the provinces has yet to be attained. I would like to appeal once again to donors to consider contributing generously towards the urgently needed assistance for the Sierra Leonean security sector.

71. The local councils also need sustained support to improve their capacity to deliver basic services to the population. The efforts under way to establish a clear distribution of responsibilities between the district councils and the chieftaincy system should also be expedited. In addition, the Government needs to take further steps towards the restoration of the rule of law, including by implementing a comprehensive reform of the penal and judicial systems and building the capacity of an independent and impartial judiciary, accessible to all Sierra Leoneans, which will effectively contribute to peace consolidation and the protection of human rights.

72. Progress made in the area of the protection of human rights, with the assistance of UNAMSIL and other partners, needs to be built on, including through the establishment of the National Human Rights Commission. The Government should be encouraged to follow up on implementing the recommendations of the Truth and Reconciliation Commission, which submitted its report in October 2004. Continuous monitoring of the human rights situation and reporting of violations will be a crucial element in consolidating peace in Sierra Leone. Meanwhile, electoral reform issues should be urgently addressed if the 2007 elections are to be free and fair and held in accordance with international standards. At the same time, the work of the Special Court has proceeded satisfactorily. With regard to the judicial process set in motion by the indictments of the former President of Liberia, Charles Taylor, and the former AFRC leader, Johnny Paul Koroma, and subsequent Court decisions relating to the indictments, the law should be allowed to take its course.

73. The economic recovery in the country in the post-conflict period has been limited, and the living standards of the majority of the population remain poor. Poverty, including massive youth unemployment, and public discontent over slow progress made by the Government in the fight against corruption and the improvement of management of State revenues are issues that urgently need to be addressed in order to sustain stability.

74. The Government should take full advantage of the opportunity that the Consultative Group meeting in June provides to outline a programme of action in key areas such as reform, institutional capacity-building, addressing youth unemployment and combating corruption. I strongly support efforts currently under way to encourage high-level donor participation in this important event. Meanwhile, at this critical point in Sierra Leone's transition, I would also encourage donors to consider providing generous contributions for the implementation of the projects contained in the poverty reduction strategy paper and other vital recovery and development initiatives.

75. The summit of the leaders of the Mano River Union countries held in Koindu in February was a further important step towards strengthening dialogue and cooperation between Guinea, Liberia and Sierra Leone. The three countries should be encouraged to continue efforts towards developing a collaborative approach in addressing the political, economic and social challenges facing the subregion. Further support by the international community for the revitalization of the Mano River Union secretariat and other structures will be vital to advance such an approach.

76. The territorial issue concerning the border village of Yenga remains a source of tension between Guinea and Sierra Leone. It would be beneficial if the two Governments built on steps taken in recent months regarding the issue and gave priority attention to developing and implementing a plan that would facilitate an early resolution of the matter. I have instructed my Special Representative for Sierra Leone to provide active assistance in that regard.

77. The further stabilization of the situation in Liberia has had a positive impact on the overall situation in the subregion. However, developments in the country before the October elections and during the period leading to the inauguration of the new Government in January 2006 will need to be monitored carefully with regard to any possible spillover effects on Sierra Leone. It is hoped that progress will be made in Côte d'Ivoire towards the full and unconditional implementation of the Pretoria

Agreement of 7 April. Clearly, a continuation of the crisis in Côte d'Ivoire or instability in Guinea could have a destabilizing effect on the subregion, including Sierra Leone.

78. Having carefully assessed the situation, I believe that the outstanding challenges in ensuring peace consolidation would be best addressed by the Government with the support of United Nations agencies and programmes, as well as bilateral donors, which are most suited for post-conflict capacity-building. Therefore, an adjustment in the strategy of the United Nations involvement in Sierra Leone is warranted. As indicated in paragraphs 59 to 61 above, I would like to recommend that the Security Council extend the mandate for the UNAMSIL presence in Sierra Leone for a final period of six months, until the end of 2005.

79. The Government should make full use of the unique window of opportunity provided by the continuing presence of UNAMSIL to further consolidate the security sector, in order to ensure effective security throughout the country, supported by the timely provision of the required assistance, and to address other outstanding challenges.

80. In view of the logistical constraints described in paragraph 65 above, I would also recommend that the drawdown of the UNAMSIL presence commence in mid-August 2005 and be essentially completed by 31 December 2005. However, the last infantry battalion and air assets should remain fully operational until the end of November, by which time the results of the elections in Liberia will be known. In order to allow for the timely planning and logistical preparations for an orderly withdrawal of UNAMSIL, an early decision of the Security Council, including on the arrangements described in sections IX, X and XI of this report, would be essential. Furthermore, should a serious threat in the subregional or internal security situation in Sierra Leone arise in the coming months, I will revert to the Council with appropriate recommendations, including the possibility of adjustments in the schedule of the Mission's withdrawal.

81. In conclusion, I wish to express my deep appreciation to the Security Council and troop- and police-contributing countries, as well as to ECOWAS, donor countries, international and local non-governmental organizations and other partners of the United Nations for their continued support for consolidating the peace in Sierra Leone. I also would like to commend my Special Representative, Daudi Ngelautwa Mwakawago, and all UNAMSIL military and civilian personnel for the contribution they continue to make towards ensuring security, stability and national recovery in Sierra Leone.

Annex

United Nations Mission in Sierra Leone: military and civilian police strength (as at 5 April 2005)

Countries	*Military component*				*Civilian police component*
	United Nations military observers	*Staff officers*	*Troops*	*Total*	
Bangladesh	8	8	232	248	2
Bolivia	3			3	
Canada	3			3	
China	3			3	
Croatia	6			6	
Czech Republic	2			2	
Denmark	1			1	
Egypt	6			6	
Gambia	8			8	2
Germany			8	8	
Ghana	3	5	756	764	5
Guinea	5			5	
India					5
Indonesia	6			6	
Jordan	6	3	69	78	2
Kenya	6	6		12	6
Kyrgyzstan	2			2	
Malawi					2
Malaysia	5			5	2
Mali	4			4	
Mauritius					2
Namibia					2
Nepal	5	2		7	5
New Zealand	1			1	
Nigeria	6	5	750	761	4
Norway					3
Pakistan	7	11	1 256	1 274	2
Russian Federation	8	3	110	121	2
Senegal					3
Slovakia	1			1	
Sri Lanka					4
Sweden	1			1	3
United Republic of Tanzania	6			6	
Thailand	3			3	

Countries	Military component				Civilian police component
	United Nations military observers	Staff officers	Troops	Total	
Turkey					5
United Kingdom	8	5		13	6
Ukraine	3	3		6	
Uruguay	5			5	
Zambia	6	2		8	7
Zimbabwe					6
Total	**137**	**53**	**3 181**	**3 371**	**80**

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Department of Peacekeeping Operations
Cartographic Section